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WESTCHESTER COUNTY
IN
HISTORY

MANUAL AND CIVIL LIST
PAST AND PRESENT

COUNTY HISTORY

TOWNS, HAMLETS, VILLAGES AND CITIES

TRULY THIS PEOPLE CAN SAY, WE HAVE MADE HISTORY

1683-1912

BY
HENRY T. SMITH
Connected with County Journalism Forty-Five Years

VOLUME II

Containing specially prepared articles relative to the County; matters concerning the County's history; organization of Towns, Villages and Cities; population as shown by the various census enumerations, with other statistics and general facts of interest and value.

Also, containing the portraits and biographies of distinguished men connected with the County's early history, as well as of prominent officials of the present time.

White Plains, N. Y.
HENRY T. SMITH, Publisher
1912

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PREFACE.

In offering additional volumes of the Westchester County Manual and Civil List, the author considers that no special or formal words of introduction are necessary.

The first volume, published in 1898, had a circulation greater than anticipated by the publisher, and the issuing of a second edition was required to meet the demand.

Numerous books relative to the history of historic Westchester County have been written; and, while they possess a peculiar sameness, they have many meritorious features. The author of this history has endeavored to get out of the "beaten path," and give his book an individuality of its own. That it may fulfill the mission intended is greatly desired.

Recognizing the necessity of securing, while data is yet available, as complete a record as possible of officials connected with the County's history, and estimating that the preservation of such record, in convenient book form, will be of practical value in the future, as well as at the present time, the author, in the year 1890, commenced the compilation of this work; and the greeting it received on the presentation to the public of the first volume has encouraged him to offer additional volumes, after the lapse of a due number of years.

As this historical publication is the first and the only one of its kind ever undertaken relative to Westchester County, and particularly to its civic life, it will be readily understood that years of research and labor had to be devoted to bring about desired results. The book, in its several volumes, is the outcome of efforts to preserve in ready reference form the names and history of the men who, at different periods dating back over two hundred years, have rendered honorable and meritorious service to Westchester County, making them worthy of having their names preserved in connection with its history.

In order to make the several volumes of this book of general interest to all readers, efforts are made to present, in attractive form, thrilling and absorbing incidents relating to remarkable facts in the County's history.

The biographical annals of the County, a feature of the book, deal only with "people of affairs;" they who have been conspicuous in the County's life during the many years; they who have "done things" toward the making of its history—that something which entitles them to be remembered in years to come, after they have passed into the "Beyond," when memories are cherished by beloved ones remaining.

By a careful reading of the biographies of those who assisted in its success and development much can be learned of the County's history.

In the preparation of biographies, it has been the desire to indulge in no undeserved praise, or fulsome laudation. Every one has been accorded the credit honestly deserved, and it has been the author's sincere purpose to bring to public recognition the characteristics and traits of each who has been deemed worthy of biographical consideration.

Many of the men whose biographies appear in the first volume of this book, who were active in public affairs and directing matters of State at that time, have since passed over the line into the land of "the great majority." Twelve years or more, the time lapsing between the dates of publishing the two volumes, have worked great changes within our County. No man knoweth what time hath in store for him. In several instances, those who aided in obtaining necessary information, and who watched eagerly for the publication of this volume, are not here to be among its readers.

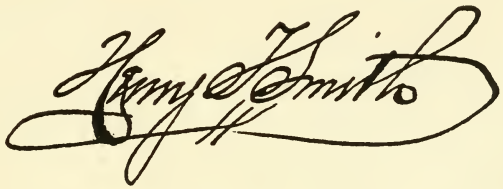
In dealing with the past and present in the civic life of our County, as much pleasure has been experienced in giving the photographs and sketches of office-holders conspicuous in years gone by, as in doing like service for men-of-affairs of the present day. We all realize that our country is better owing to the loyal public service rendered by all good citizens in their day. We are inclined—that is, the most of us are—to have too little respect and veneration for the things of antiquity, despite the fact that we talk a great deal about the good old times of long ago, about the noble acts and heroic deeds of the fathers. In the hustle and bustle of modern life we are apt to bowl over with sacrilege and disdain some of the most ancient and respected landmarks of the past. We have our eyes fixed upon the goal in mirage ahead, and we are wont to forget the objects of reality in the rear. We do not remember at all

times that it is better to be a "Has-Been" than a "Never-Was-At-All."

The aim of the author has been to make the work authentic in facts and dates. In the absence of authenticated records, in many cases dependence had to be placed upon the memory of old residents. It is therefore possible that, despite most conscientious and indefatigable labor, an occasional error may be found.

It is hoped that as a book of reference it may prove invaluable.

The author feels that he is greatly indebted to many friends who kindly rendered him the assistance that enabled him to bring out the succeeding, as well as the first, volume. He takes this occasion to publicly tender his thanks to all, assuring them that but for such valuable aid his labor might have been more than disproportionably increased.



February, 1912.

WESTCHESTER COUNTY.

(*Continued from page* 5, *Vol.* 1.)

Westchester County is a long, comparatively narrow, strip of land, bounded on the south by the Borough of the Bronx (New York city), on the west by the Hudson River, on the north by the County of Putnam and the State of Connecticut, on the east by Long Island Sound. The total area of the County is five hundred and six square miles, and its present population (1910) is 283,055. The southern end of the county, divided into cities and villages, is, for all practical purposes, solidly built up. Above White Plains village, with few exceptions, it still remains comparatively a rural district.

Counties, as well as all things else, have a beginning, so it was with Westchester County. And in the beginning it had a people, and these people were the "red men of the forest," the original members of the order of "Foresters of America."

The woods of Westchester County were inviting to these original Americans, from the shores of the Hudson River to the shores of Long Island Sound. From the enchanting high hills of the north, and to the south so far as the haunted waters of Sputen Duyvil Creek, itself the home of many a spirit, if it be true that ghosts walk; the Indians of long ago gave the land about the shores of this historic creek a name of unpronounceable gutterals and sowed the rocky soil of Westchester County's southern boundary line with arrow heads and traditions. Along the water fronts and through the woods where our Indian brethren disputed titles with their neighbors, the bears and the catamounts, generations of white men have come with their feuds and friendships, their loves and their hates, and have all passed away. Others are here, alike as human as those who have gone before.

As to the original settlers of the county, the Indians, and their immediate successors, the Dutch, much has been written as special subjects and in a general way by recorders of matters historical. From these writings we learn the general opinion of all, that the first inhabitants of our County were shamefully

abused not only by the Dutch settlers themselves, as a whole, but by a powerful trading corporation that stole rather than purchased property from the ignorant first owners. If money was exchanged in acquiring property, the buyer would see to it that an ample quantity of rum was at hand to sell to the Indian and get quick return of that money. In many cases the Indian would first be made drunk and then persuaded to sign some kind of a document bartering away his land. The Dutch East India Company's agents were in most cases, if not in all cases, the "purchasing" agents, and this grasping corporation held on to the land so acquired, leasing it at high rental to honest settlers, and in a few instances only selling a parcel.

Ruttenber, a writer on this subject, says: "Until touched and warped by wrong treatment, wherever the Indians were met, they were liberal and generous in their intercourse with the whites, and more sinned against than sinning, they left behind them evidences of great wrongs suffered; their enemies being their witnesses."

The Dutch trading company introduced among the Indians intoxicating liquors, and it was a common sight to see on the streets of New Amsterdam (New York) daily, and in fact nightly, numerous Indians helpless as the result of over-indulgence in intoxicating liquor. While in this state, as well as when sober, the Indian was robbed of his earnings, as well as the furs and goods they had purchased from agents of the trading company.

The Indians complained that the Dutch had not paid them sufficient price for their land, but their complaints were long unheeded. They even claimed that the money owed them by wealthy Dutch residents was kept from them, and they at times suffered for want of food as well as did their wives and children.

The scandal growing out of this robbing of the Indians became finally so great that the Council of New Amsterdam had to take notice. In the published old records of New Amsterdam is found, under the title of "Ordinances of New Amsterdam," the following preamble and ordinance, bearing upon this subject: "Great complaints are daily made to the Director-General and Council by the Indians or natives, that some of the inhabitants of New Netherlands set the natives to work and use them in their service, but let them go unrewarded after the

work is done, and refuse, contrary to all international law, to pay the savages for their labors. These Indians threaten that, if they are not satisfied and paid, they will take their own pay, or recover their remunerations by other improper means. Therefore, to prevent all trouble as much as possible, the Director and Council warn all inhabitants who owe anything to an Indian for wages or otherwise to pay it without dispute, and if in the future they employ savages, they shall be held liable to pay upon the evidence and complaint of the Indians (who for good reason shall be considered credible witnesses in such cases), under penalty of such a fine as the circumstances shall indicate as proper."

The Indians, as owners, had been ejected from the Island of Manhattan, and, locating in the adjacent Westchester territory, soon became only transient guests in the then Dutch city. They were more than inclined to be on friendly terms with the whites. Though they frequently and naturally had unkindly differences with other tribes of Indians, they manifested ever a friendly feeling for the Dutch settlers.

That the Indians did finally go on the "war-path," in 1643 and later, and bring disaster upon the white settlers, is not surprising, when we consider the treatment they received; the actions of certain powerful Dutch corporations may justly be considered as provocation.

That the Dutch settlers who inhabited a great section of Westchester County, especially the southern portion, were brought into dislike, is not surprising when we consider their treatment of the Indians. The fault lay not with the average Dutch settler, but rather with the arbitrary, dominant Dutch East India Company which bought land, or more properly acquired it, by means fair or foul, and then permitted settlers to occupy it at exorbitant rental rates. The Dutch settlers rebelled but were helpless. This conduct of the Dutch East India Company, and the dominant spirit shown, to rule or ruin, had the ultimate result of discrediting the company as a commercial agency, and creating to it such an opposition that it finally lost its commercial standing and contributed to the loss of Dutch supremacy and to permitting the English to acquire occupancy of territory held by the Dutch. The first most prominent act of hostility to the power of the Dutch East India Company was when Pell negotiated direct with the Indians for the purchase of that tract of land embracing what is now the

towns of Pelham and New Rochelle, disregarding the heretofore all-powerful Dutch company. It is held by historians that Governor Winthrop of Connecticut prompted the actions of the English in forcing the issue with the Dutch for possession of the land forming a great part of Westchester County. Beyond doubt the Dutch East India Company had organized one of the greatest of original trusts, especially in land accumulation for speculative purposes, ever attempted in this country; truly they bought low and sold high, and when this company came to grief, and it was helpless to rob Indian or white man, there were no outward manifestations of great mourning among the honest Dutch citizens.

Westchester, one of the original counties of the State, is as well one of its most historic counties. In the days of the Revolutionary War it furnished its full quota of fighting men and heroic women, as it has since done, whenever our country called, and was in need of able and willing hands, for support or defense.

In the Revolutionary War period, being adjacent to New York city, where a strong force of British troops were entrenched, the county was ever a hot-bed of conflict, and periodical invasions and depredations were the rule rather than the exception, if not from flying trips made by the enemy's scouting parties, it was from irregular marauding parties organized for purposes of plunder, of friend or foe; so long as spoils could be secured the invaders were indifferent as to persons they robbed. As the lower section of the County, from the Hudson River to Long Island Sound, became known as "neutral ground," residents within the prescribed limits were considered just prey, according to the fates of war. Among these prowling gangs of desperadoes were two bands known as "Cowboys" and "Skinners." These bands were well and appropriately named; the first stole and drove off every head of cattle, found unprotected, to sell to the British Army in New York, which willingly purchased the stolen goods, "and no questions asked," with directions to go back and steal more from the "rebels." The second band "skinned" every locality neglected or overlooked by the plundering "Cowboys," even to the contents of the houses defended only by lone women whose male protectors were fighting for their country in the Continental Army. Not only were people robbed, but their buildings were burned by these worse than brutes. When Andre was halted at Tarrytown he

first took the man who commanded him to " stand," to be either a " Cowboy " or a " Skinner," and felt easy; knowing them so well, he was confident he could bribe them with money, and pass on.

When General Washington retreated from Long Island, to evade the British Army in New York, commanded by General Howe, he passed through Westchester County. This was probably during one of the most trying periods for the American Army in the Revolutionary War, when General Washington was sorely taxed, but more than ever determined to continue battling for the patriotic cause. Many petty complaints and predictions as to disaster and ultimate failure to patriotic hopes beset him, yet he went his way determined to win the victory every true heart desired.

A well-known historical writer, describing Washington's entry into Westchester County, said: "Altho his army was poorly equipped, wretchedly disciplined, and not large, altho the soldiers of one section were jealous and suspicious of those of another, altho there were any number of deserters, sick and absent men, and in spite of the most irritating interference of Congress, which gave Washington no power to fill vacancies, and insisted on short terms of enlistment for the soldiers, Washington did not throw up his commission as most men would have done, but showed his true greatness by determining to do the best he could with what he had."

" The Battle of Pell's Point, or Glover's Rock," was fought about four miles east of the present Bartow station, in the town of Pelham, around the " Split Rock " road, on each side of which the opposing forces were posted. The Bronx Chapter of the Daughters of the American Revolution have placed a tablet to mark this battlefield.

When the British attempted to follow up General Washington, and camped at Eastchester, the St. Paul's Episcopal Church, which yet stands as a venerable record of the past, was used as a hospital for some Hessian soldiers by the British.

This church edifice was also used during the Revolutionary War period as a Court House, and is now considered more highly on account of its service in various ways of usefulness.

The " Battle of White Plains " was an event wherein the American Army, though crippled for want of sufficient numbers, showed its valor and proved to the enemy that every patriot there fighting was determined, and could be ever counted

upon to do his utmost to gain success for the cause of liberty and to secure the final triumph of the struggling Republic.

The main thoroughfare through the county in the early days was "the Old Westchester Path," running from New York city north. It has been described as little better than an Indian trail, rough and rocky, difficult to travel, especially in the rainy season. Many of the men prominent in Colonial times and credited to New York city, their places of business, were residents of nearby Westchester County, living here in the summer and wintering in the city, as now. The "Old Westchester Path" was the highway over which the Morrises, the Hamiltons, the Jays, the Phillipses, the Van Cortlandts, and other distinguished residents journeyed from their homes to their business in the city and return. Over this path both armies had marched. Now we have, instead of this "Old Path," boulevards, parkways, macadam and paved streets.

From a volume treating of the early settlers in Westchester County, published in 1790, we learn that the population remained about the same from 1756 to 1786, but a good increase was shown from 1786 to 1790; about thirteen per cent. being blacks, most of them slaves.

Jedediah Morse, A. M., author of the volume aforementioned, has this to say as to then existing conditions, viz.: "The effect of the Revolution has been as greatly and as happily felt by this section as by any of the United States. The accession of inhabitants within a few years has been great, even beyond calculation; and so long as lands can be obtained in the county upon advantageous terms and with a good title, and the general government continues to protect industry and encourage commerce, so long they will continue to increase. The English language is generally spoken, but is not a little corrupted by the Dutch dialect which is still spoken in this lower section of the State. But as Dutch schools are almost, if not wholly, discontinued, that language, in a few generations, will probably cease to be used at all. The increase of English schools has already had a perceptible effect in the improvement of the English language."

"The manners of the people differ as well as their language. The sections inhabited by those whose ancestors were natives of England possess manners and customs similar to those of their ancestors. The localities inhabited by the Dutch have adopted the English manners in a great degree, but still retain

many modes, particularly in their religion, which are peculiar to the Hollanders. They are industrious, neat and economical in the management of their farms and their families. Whatever business they engage in they generally follow the old track of their forefathers and seldom invent any new improvements in agriculture, manufactures or mechanics. They were the first settlers (excepting Indians) and were particularly friendly to the English colony that settled at Plymouth in New England in 1620; and continued to be amicably disposed toward the English colonies east of them, until the unhappy dispute arose concerning the lands on the Connecticut River."

"The Revolution and its consequences have had a very perceptible influence in diffusing a spirit of liberality among the Dutch, and is dispelling the clouds of ignorance and national prejudice. Schools, academies and colleges are being established for the education of their children, in the English and learned languages, and in the arts and sciences, and a literary and scientific spirit is evidently increasing. If such are the buddings of improvement in the dawn of our empire, what a rich harvest may we expect in its meridian."

"The manners and character of the inhabitants of every settlement will take their colouring, in a great or less degree, from the peculiar manners of the first settlers. It is much more natural for emigrants to a settlement to adopt the customs of the original inhabitants than the contrary, even though the emigrants should in length of time, become the most numerous. Hence, it is that the neatness, parsimony and industry of the Dutch were early imitated by the first English settlers in Westchester County and vicinity, and, until the Revolution, formed a distinguishing trait in their provincial character. It is still discernible, though in a much less degree, and will probably continue visible for many years to come."

"Besides the Dutch and English already mentioned, there are, within the borders of the county, emigrants from Scotland, Germany, France and Ireland. The French emigrants, known as Huguenots, settled principally at New Rochelle, and many of their descendants now fill some of the highest offices in the United States."

There was no part of the continent where the manners of England, and its aristocratical notions of blood and alliance, prevailed with more force than in a certain circle immediately around the metropolis of New York, and especially in West-

chester County, in the period just preceding the Revolution. The customs of the early Dutch inhabitants had, indeed, blended in some measure with the English manners; but still the latter prevailed. As an early writer states, this attachment to Great Britain was increased by the frequent intermarriages of the officers of the mother-country with the wealthier and more powerful families of the vicinity, until, at the commencement of the Revolution, their united influence had very nearly thrown the colony into the scale on the side of the crown. A few, however, of the leading families espoused the cause of the people, and a sufficient stand was made against the efforts of the crown party to organize, and aided by the army of the confederation, to maintain an independent and republican form of government. Under the circumstances it is not surprising to learn that the lower section of Westchester County, nearest to New York city, was influenced by the Tory sentiment; the upper section of the County, dwelling under better influences, were steadfast in support of the cause of their countrymen, and to the northern section of the County many of its patriotic families had to flee for protection from the enemy in the south.

The County was erected November 1, 1683, by an act of the General Assembly, and this was confirmed by a later act, of October, 1691. As originally constituted, the County had substantially the same boundaries that it had before its southern portion became, in 1873, a part of New York city.

By an act of the General Assembly, passed in the year 1683, Westchester village (now annexed to New York city) was made the "County Seat" of the County, and it remained so until 1759, when it resigned to White Plains the honor of being the "Shire town," which distinction White Plains yet retains.

In this early period the County was but an aggregation of farming towns, with few or no villages.

Even as late as 1840 there were only two sparsely settled villages—Sing Sing and Peekskill—and no cities. Mount Pleasant town led in population, with the town of Cortlandt second, Greenburgh town third, Bedford next, and Yorktown closely following with a population equal to that of Yonkers. (Yorktown now has 3,020, and Yonkers 79,803.) Farming and stock-raising was (in 1840) the principal occupation of the inhabiants. The market for cattle was in New York city. Mount Pleasant's cooperage establishments employed many persons. Grist mills were in full operation in many sections in the upper

part of the County, and the Westchester " family flour " was considered a standard article, much sought after.

The County continued in area as it was when erected until, by special acts of the State Legislature, a good portion of its territory on the southern boundary was chopped off and carried away to benefit New York city. By laws of 1873, chap. 613, the towns of Morrisania, West Farms and Kingsbridge (south Yonkers) were annexed to New York city. Later, the Legislature, laws of 1895, chap. 934, annexed the town of Westchester and parts of Eastchester (east and south Mount Vernon) and Pelham (including City Island) to the City of New York.

Efforts were made, through the State Legislature in 1910, to annex the cities of Yonkers, Mount Vernon and New Rochelle and the towns of Eastchester and Pelham to New York City. Strong opposition developed and the attempts were abandoned.

The population of Westchester County, according to the several census enumerations, from 1698 to and including 1892, is shown on page 8, volume 1, of this Manual. The Federal census enumeration in 1900 gives the County a population of 184,257; in the 1905 State census the County is credited with 228,950 population; in the most recent, the 1910, census the County's population is placed at 283,055.

Unlike many counties in the State, Westchester County has steadily gained in population since the date of its organization; in later years the increase has been more pronounced than in preceding periods. The reasons accounting for this advance are various. For instance, in 1880 the population of the County was 108,988; ten years later, in 1890, there were in the County 146,772 persons, a gain of 37,784. In 1900 the population was 184,257, a gain of 37,485 within ten years, nothwithstanding the fact that in 1895 a portion of the towns of Eastchester, Pelham and Mount Vernon were annexed to New York city. In 1905, only five years following, when another State census was taken, we find the County's population still climbing, having reached the 228,950 mark, with a gain of 45,575 over the last census figures. In the present year, 1911, we have the latest census returns, that show increased gains, the amount being 54,105 in the last five years. Surely we are going some.

Few counties in the State equal, and certainly none present a better showing as to numbers and quality of its inhabitants, and, taking all things into consideration, is it surprising that so many persons strive to get in and so few desire to get

out of our County? What can be produced more attractive and holding?

The population of the several cities, towns and villages in the County will be shown elsewhere under appropriate heads.

Within the last five years the County has been greatly benefited in the way of public improvements.

Millions of dollars have been expended upon the electrification of the New York Central Railroad, passing through the County, along the line of the Harlem Railroad branch, from the Grand Central Station to North White Plains.

Millions of dollars have been expended upon electrifying the Hudson River Railroad division, completed to Hastings-on-Hudson.

Millions of dollars have been expended in the electrification of the New York, New Haven & Hartford Railroad from the Grand Central Station, through our County, to Stamford, Conn.

Millions of dollars are to be expended in the construction and the electrifying of the New York, Westchester & Boston Railway, to run from Harlem, through this County, including Mount Vernon, Pelham, New Rochelle and Scarsdale, to White Plains, and Larchmont, Mamaroneck, Harrison, Rye and Port Chester, to the Connecticut State line.

Millions of dollars have been expended in the construction of the Bronx Valley sewer, running through White Plains, Scarsdale, Eastchester, Mount Vernon and Yonkers, in this county.

Millions of dollars are to be expended in the construction of the Bronx Parkway, running through this County.

Millions of dollars have been spent in building State roads; in constructing asphalt pavement, in granite block paving and in macadam streets.

The boundary line between New York city and Westchester County, in length between eight and nine miles, is crossed by a six-track railroad, three four-track, a double and single track railroad and half a dozen electric trolley railroad lines, with another four-track railroad in construction.

In the years 1910 and 1911 one of the vital questions confronting residents of the County was—"How shall the several cities, villages and towns in the County obtain a sufficient supply of water to meet the demands of a rapidly growing population?" Until the last five years, previous to 1910, this was not considered a serious matter.

Years ago when the City of New York first had to go beyond its boundaries for additional water supply, it naturally turned to the hills and lakes of Westchester County for it. By various acts passed by the Legislature, from time to time, it came into the County and has condemned practically the entire available water supply.

Of the five hundred and six square miles in the County, New York city, through condemnation proceedings, to insure its water supply, has taken two hundred and six square miles in the upper and other sections of the County.

It has been carefully estimated that "the big city" has left only about thirty square miles of water-shed available at this time for additional use by the municipalities of Westchester County. This amount is, of course, absurdly small, and when it is realized that it is made up of scattering districts where population is rapidly encroaching, it becomes nonsensical to think of making any plans to use it for a permanent County system.

It is admitted that when the passage of the several Legislative acts was attempted by New York City to appropriate to its use the several desirable lakes and streams in this County, that it might have an ample water supply, Westchester County authorities should not have complacently permitted the passage of the acts and allowed the taking, but should have provided that the future of the County be protected; but the lack of forethought may be excusable when we consider that the growth of the County, as well as the growth of the city of New York, has been beyond the expectations of residents of the time, and future requirements could not be anticipated.

The cities of Yonkers and Mount Vernon are at present in great need of an additional water supply. These cities being immediately on the boundary line of New York city at the southern end of the County, and being the largest centers of population within the County, are feeling the demand first, but the same condition exists through all the smaller municipalities as well as every town, village and city in the County, and all are endeavoring to find relief.

The city of New Rochelle is specially favored, having a good supply of water, provided by private enterprise.

By means of special bills, introduced in the State Legislature in 1910 and 1911, Yonkers and Mount Vernon, and villages of the County, to get temporary relief, asked the privilege of

connecting with New York City's water mains running through the neighborhood. It was asserted by residents of this County that it was but just that New York City grant assistance to this County, in way of a water supply, when it could well afford to do so. Local municipalities should not be put to great expense necessary in establishing independent water plants when they have the aqueducts of the City of New York running through their boundaries and furnishing an ample supply of water, which belongs to them by right of heritage, taken from them without recompense by the State Legislature.

Inasmuch as Westchester County was willing that the City of New York should take its water in the time of need, the latter City should be willing to render similar aid in the County's time of need.

An act creating the counties of New York, Kings, Queens, Richmond and Westchester as a Metropolitan Election District and authorizing the appointment, by the Governor, of a State Superintendent of Election for said district, became a law July 16, 1898.

The area of the County is 506 square miles; water frontage 54 miles; improved highways, State roads, etc., 520 miles public and private improvements under way, estimated cos $500,000,000.

The County Board of Supervisors, on March 16, 1898, pass an act establishing and defining the disputed boundary l between the towns of New Rochelle and Pelham, and in 1 fixed the disputed boundary line between New Rochelle a Scarsdale.

As evidence of the County's growth, consider the figu showing the increase of the value of real and personal est in the county each year, viz.: In 1839 the total valuation was $7,768,979; in 1879, $52,095,138; in 1889, $66,634,291; in 1898, $166,869,055; in 1899, $168,536,470; in 1900, $171,709,873; in 1901, $179,339,132; in 1902, $180,451,135; in 1903, $185,145,868; in 1904, $192,601,367; in 1905, $205,270,848; in 1906, $254,800,648; in 1907, $269,027,378; in 1908, $283,867,516; in 1909, $293,249,644; in 1910, $322,327,366.

It is prophesied that the County ten years hence will have a population, considering present advancement, of fully 425,000 and an assessed valuation of over $500,000,000. The growth of the County has been wonderful in the last ten years, far exceeding all predictions.

The public business of the County has kept pace with the growth of the population. Ten years ago the Board of Supervisors considered the business of the County could be transacted at an annual session; now it is necessary to hold monthly sessions of the Board, and frequently special sessions, in addition to the annual session.

A State Normal School is to be established in the County.

Besides the regulation State roads, there are the asphalt-paved, the brick-paved and the macadamized roads and streets everywhere. The old fashioned common dirt roadbed is seldom seen, and then only in out-of-the-way places not yet reached in the march of public improvements. Its public roads aggregate over five hundred miles.

During the year 1909 there were 6,367 mortgages recorded in the County, amounting to $27,017,535; about fifty per cent. greater than the amount loaned in 1908, which was $18,106,122. The total amount in 1910 was more than double that of 1908.

It is authentically stated that in 1910 Westchester County had the largest number of volunteer firemen in the State of New York. The number given was 5,260 active members and 6,120 exempt members.

The County is especially liberal in paying officials. The salaries provided compare favorably with those paid by other counties in the State. Only in exceptional cases has an official complained of low salary (as they frequently will in all communities), but they were never known to agree with the taxpayer who suggested that probably salaries were too high. Even in case one deemed his services were being obtained too cheaply he never expressed a desire to return to "the good old times," when, in the early days, the salaries of the officers of this County were paid in pelts; when the County Clerk, who now gets $10,000 per annum, payable monthly, was satisfied to take for his services 300 beaver skins, and considered himself well paid. Pelts were plentiful in those days as pennies now, and much better distributed for purposes of currency and barter. Later the salary of the County Clerk was increased to 100 buck skins. The Justice's salary was paid in mink skins. Even in that day State officials were satisfied to accept deer skins, raccoon skins and other pelts in return for services rendered.

WESTCHESTER COUNTY LAKES

Acquired by the City of New York, to contribute to its water supply, are as follows:

Croton Lake,[1] in the towns of Yorktown, New Castle, Somers, Bedford, Lewisboro and North Salem.

Kensico Lake,[1] in the towns of North Castle and Mount Pleasant.

Byram Lake, in the towns of Bedford and North Castle.

Big and Little Rye Lakes, in the towns of Harrison and North Castle.

Wampus Lake, in the town of New Castle.

RESERVOIRS IN THE COUNTY

Belonging to the City of New York, for the storage of water[2] for use of residents of that city, are as follows:

Croton Dam, commonly known as Croton Lake, lying in the towns of Cortlandt, Yorktown, New Castle, Bedford, Somers, Lewisboro and North Salem.

Cross River, in the towns of Bedford, Lewisboro and Poundridge.

Kensico Reservoir, in the towns of North Castle and Mount Pleasant.

Reservoir "A," in the town of Somers.

Reservoir "K," part in the town of Somers and part in the county of Putnam.

Reservoir "M," in the town of North Salem.

Most of the Lakes acting as feeders to the Croton system in Westchester County are located in Putnam county.

[1] Croton Lake and Kensico Lake were but streams, hardly worth the name of lake, before the City of New York acquired them. Croton Lake was made by that City in 1836; Kensico Lake was made in 1883. Byram Lake, Big and Little Rye Lakes and Wampus Lake are natural lakes.

[2] All reservoirs are open; the water can be drawn off readily when need be for any purpose.

POPULATION SHOWN BY CENSUS.

The population of Westchester County, according to the census of 1910, is shown by the following official report, issued by the Director of the Bureau of the Census, at Washington, D. C.:

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF THE CENSUS,
WASHINGTON.

February 11, 1911.

Mr. HENRY T. SMITH,
White Plains, N. Y.

Sir:

In reply to your letter, here is inclosed a copy of an advance bulletin giving the population, according to the returns of the Thirteenth Census, of Westchester County, New York, by minor civil divisions.

Very respectfully,
E. DANA DURAND,
Director.

NEW YORK.

Population of Westchester County by Minor Civil Divisions—1910:

Westchester county		283,055
Mt. Pleasant town, including Briar Cliff Manor (part of), North Tarrytown, Pleasantville, and Sherman Park villages		11,863
Briar Cliff Manor village (part of)	23	
Total for Briar Cliff Manor village (1) in Mt. Pleasant and Ossining towns	950	
North Tarrytown village	5,421	
Pleasantville village	2,207	
Sherman Park (3) now Hillside	423	
Mt. Vernon city		30,919
Ward 1	5,779	
Ward 2	6,511	
Ward 3	4,327	
Ward 4	8,746	
Ward 5	5,556	
New Castle town, including Mt. Kisco village (part of)		3,573
Mt. Kisco village (part of)	1,536	

New Rochelle city		28,867
Ward 1	5,663	
Ward 2	8,740	
Ward 3	5,569	
Ward 4	8,895	
North Castle town		1,522
North Salem town		1,258
Ossining town, including Briar Cliff Manor (part of) and Ossining villages		12,828
Briar Cliff Manor (part of)		927
Ossining village		11,480
Pelham town, including North Pelham, Pelham, and Pelham Manor villages		2,998
North Pelham village	1,311	
Pelham village	681	
Pelham Manor village	852 (4)	
Poundridge town		725
Rye town, including Mamaroneck (part of), Port Chester, and Rye villages		19,652
Mamaroneck village (part of)	2,285	
Port Chester village	12,809	
Rye village (5)	3,964	
Bedford town, including Mt. Kisco village (part of)		5,629
Mt. Kisco village (part of)	1,266	
Total for Mt. Kisco village in Bedford and New-Castle towns	2,802	
Cortlandt town, including Croton-on-Hudson and Peekskill villages		22,255
Croton-on-Hudson village	1,806	
Peekskill village	15,246	
Eastchester town, including Bronxville and Tuckahoe villages		6,422
Bronxville village	1,863	
Tuckahoe village (1)	2,722	
Greenburgh town, including Ardsley, Dobbs Ferry, Hastings-upon-Hudson, Irvington, Tarrytown and White Plains (part of) villages		23,193
Ardsley village	537	
Dobbs Ferry village	3,455	
Hastings-upon-Hudson village	4,552	
Irvington village	2,319	
Tarrytown village	5,600	
White Plains town, including White Plains village (part of)		15,045
White Plains village (Wards 3, 4 and 5 and parts of Wards 1 and 2)	13,904	
White Plains village (parts of Wards 1 and 2)	2,045	
Total for White Plains village in Greenburgh and White Plains towns	15,949	
Ward 1	3,347	
Ward 2	3,456	
Ward 3	3,538	
Ward 4	2,190	
Ward 5	3,418	
Harrison town		4,226
Lewisboro town		1,12
Mamaroneck town, including Larchmont and Mamaroneck (part of) villages		5,60
Larchmont village	1,958	
Mamaroneck village (part of)	3,414	
Total for Mamaroneck village in Mamaroneck and Rye towns	5,699	
Scarsdale town		1,30
Somers town		1,22

Yonkers city		79,803
Ward 1	8,268	
Ward 2	6,596	
Ward 3	6,730	
Ward 4	11,037	
Ward 5	12,272	
Ward 6	12,568	
Ward 7	9,939	
Ward 8	3,661	
Ward 9	5,138	
Ward 10	3,594	
Yorktown		3,020
Total population in the county		283,055

(1) Incorporated in 1902.
(2) That part of Mamaroneck village in Mamaroneck town, not separately returned.
(3) Incorporated in 1906.
(4) Not separately returned.
(5) Incorporated in 1904.
(6) Includes population (10,029) of Westchester town.

As shown by this last Federal Census, the population of the United States, exclusive of Alaska and all insular possessions, but with the army and navy not fully reported, is announced officially at 91,972,267. Most people are likely to regard the continental United States, including Alaska, as our true country, and hence we can call ourselves in round numbers 92,000,000.

These figures exceed considerably the early estimates of the census experts, and are of vital importance in considering the tendencies and future of the Republic. The increase has been 21 per cent., a slightly greater percentage than that of the preceding decade, but in actual numbers the gain has been more than two and a half millions greater than that of 1890-1900. Hitherto the percentage has been dropping.

The growth has been exceedingly uneven, more so than ever before, and there are several striking features. The first is the enormous increase of the city of New York. This may be fairly called a phenomenon. Nothing like it has ever occurred before. The city increased within its limits 1,329,000. Many of the adjoining towns in Westchester County, on the north, doubled. The true New York, including all suburbs, which are its overflow, gained about 1,800,000, and the figures place the population of the metropolitan district at about 7,000,000. This increase also is cumulative. A State census was taken in 1905 and for the first half of the decade the increase was 115,000 a year, but for the second half it rose to 151,000 annually. The same result was shown in the adjoining Westchester County

cities. It is quite obvious that New York is soon to be the largest city in the world.

Greater New York itself, the political New York, has grown by 1,329,000. No State except Pennsylvania equalled this growth. All Illinois gained less than two-thirds as much; Ohio not half.

Metropolitan New York has been defined as including Westchester County, and certain localities on Long Island and in New Jersey. A part of the population of this wider region is rural in character because of distance from railways, but it is as well defined as political divisions permit. It includes close to 7,000,000 people, and has grown in ten years about 2,000,000; say as much as the ten combined States of Missouri, Kentucky, Tennessee, North Carolina, South Carolina, Virginia, West Virginia, Mississippi, Maryland and Florida.

Commuting New York includes, besides the metropolitan area thus defined, considerable sections of Suffolk, Putnam, Dutchess, Rockland and Orange Counties, of Greenwich, Stamford and probably as far as Bridgeport in Connecticut, and of close-by New Jersey. This added area, not accurately definable, a considerable part of whose adult men are daily denizens of New York, contains half a million or more souls, and has made an increase equal to Utah's. In summer the tributary area is eve wider.

The census gives much information of value and teaches much in its presentation of facts and figures.

To the thousand millions which Congress appropriates e year, most of it on account of wars past and to come, mu added, by one who would know the actual burdens that the people carry, the cost of city, county and State governments. The Census Bureau recently contributed some information on this subject in a bulletin showing that in 1908 the expenditures by 158 of the principal American cities amounted to $405,000,000. Municipal outlay per capita runs all the way from $27.58 in Boston and $24.71 in New York to $12.34 in Baltimore and $12.76 in New Orleans. More than one-half of these hundreds of millions goes for education and police and fire protection.

Wasteful as local administration often is, it is certain that the people who foot the bills get more for their money than is the case at Washington. Recklessness there begets recklessness in the cities and the States, so that extravagance is likely to characterize every public enterprise and agency. If in addi-

tion to the known cost of government that is merely wasteful we could ascertain the sums which the people pay by reason of monopolistic combinations operating under unjust laws or in defiance of law, we should have the figures of a tax oppression probably without a precedent.

Most of these dollars, whether wisely used or squandered or pilfered, are wrung primarily from industry. Rents and prices of commodities must rise while such exactions mount higher and higher. We have no other question in this country of such vital importance to every man, woman and child as that which involves economy, efficiency and justice in the public service.

First Federal Census, 1790.

A census of the United States is required to be taken every ten years, as provided by the Constitution. The first was taken in 1790, under the supervision of the President of the United States; subsequent censuses, to and including that of 1840, were taken under the supervision of the Secretary of State. In 1849 the newly organized Department of the Interior directed the work and continued such supervision until relieved by the Department of Commerce and Labor created by act of Congress in 1903. In the preceding year an act of Congress made the Census Office a permanent bureau of the Government, under direction of a Director of the Census. This bureau is now attached to the Department of Commerce and Labor. The Director of the Census is appointed by the President of the United States, and receives a salary of $7,000 per year. The Census Bureau gives employment, in office work, to about 700 persons.

The act of Congress authorizing the taking of the first census in 1790, was passed at the second session of the first Congress, and was signed on March 1, 1790. This act required the marshals in each State to take an enumeration of the inhabitants in their respective districts, employing such assistants as were necessary to do the work. On October 27, 1791, the census returns were made to Congress. Considering that the work of enumeration was not commenced until August 1, 1790, the census was concluded in one year and two months. The census was taken in seventeen States; unfortunately the schedules for six States were destroyed by fire when the British army burned the capitol building at Washington, during the War of 1812; the schedules for the State census of Virginia

for three years were substituted for the schedules of the census of 1790 in this State, but they were not complete.

According to this census, of 1790, which represents a complete list of the heads of families in the United States at the time of the adoption of the Constitution, there were 3,231,533 persons in the country at the time, less than one-twenty-sixth of the number of present population.

In making these early enumeration schedules, reference is made only to heads of families, accordingly there are only about 540,000 names recorded on original lists. Families of that time averaged six persons. The schedules which were destroyed and not replaced contained 140,000 names, so that only about 400,000 names appear on the published schedules. The gross area of the country at that period was 827,844 square miles, of which 29 per cent., or 239,935 square miles, only was settled.

According to the published schedules, the 1790 census shows the several States to have population as follows: Virginia, 474,610; Pennsylvania, 434,373; New York, 340,120; North Carolina, 393,751; Maryland, 319,728; South Carolina, 249,073; Connecticut, 237,946; New Jersey, 184,139; New Hampshire, 141,885; Maine, 96,540; Vermont, 85,539; Georgia, 82,548; Kentucky, 73,977; Rhode Island, 68,825; Delaware, 59,094.

The census enumerators of this early date, who were assistant United States marshals, were, evidently, permitted to exercise their own judgment as to the form in which they made their returns, except that a table was provided which they were required to follow. It was made up of five columns, and the headings were as follows: Names of heads of families; free white males of 16 years and up, including heads of families; free white males under 16 years; free white females, including heads of families; all other free persons; slaves. The assistant marshals acted in taking following census enumerations, including that of the 1820 census. They in their work used no special forms, in fact the stationery used was such scraps of writing paper as they found close at hand, regardless of form or quality; their records were usually kept on merchant's account paper, and quite frequently the returns, to give them the appearance of "official importance," were bound in fancy figured wall paper.

The total number of negro slaves in the United States in 1790 was 697,897; the census of that year showed 21,324 negro slaves in the State of New York; 1,419 slaves in Westchester County.

The cost of the 1790 census was $44,377, and 650 persons were engaged in its taking; contrast this with the estimated expense of the 1910 census—$19,000,000, and the employment of about 110,000 persons. The returns published of the 1790 census fill one small volume; the published returns of the twelfth (1900) census fill ten large quarto volumes, containing 10,400 pages in all.

Under a special act of Congress, the 1790 census returns were republished, in book form, in 1907. The volume devoted to the State of New York contains a map of the State at that period. On this map there are no lines designating Westchester County, one of the original counties of the State. But old towns of our County, to a limited number, are shown. Bedford was then the principal township, next came Cortlandt, giving evidence that the greater number of population had centered in the northern section of the County; this has been accounted for by the report that many people of the County removed from the lower to the upper section of the County to escape persecution by the British, then in New York city, during the Revolutionary War. Westchester and Morrisania then covered the territory now occupied by the Borough of the Bronx, New York city. Yonkers has no place on the map; in its stead is mentioned the town of Phillipsburg, which name in later years gave way to that of Yonkers; Eastchester, built around the spot where now stands the old St. Paul's Episcopal Church, is mentioned on this old map. On the green in front of this church was the place where the county militia met to drill. New Rochelle, later a haven for banished Huguenots, is also given a place on the map, as is Rye, containing the homes of many Revolutionary patriots and where our County's Board of Supervisors was first organized. White Plains, the present County seat, " is not on the map " of that early day.

Westchester County is mentioned as one of the counties of the state in the published schedules of the 1790 census, and the population of the County is given as 24,003, of which number 1,419 were negro slaves.

The total population of the towns in the County was shown to be as follows:

Bedford, 2,470; Cortlandt, 1,932; Eastchester, 740; Greenburg, 1,450; Harrison, 1,004; Mamaroneck, 452; Morrisania, 143; Mount Pleasant, 1,924; New Rochelle, 694; North Castle, 2,478; North Salem, 1,058; Pelham, 199; Poundridge, 1,062; Rye, 986; Salem, 1,453; Scarsdale, 281; Stephen (now known

as the town of Somers), 1,297; Westchester, 1,141; White Plains, 605; Yonkers, 1,125; York (now Yorktown), 1,609.

Census of 1820.

A census taken in 1820 stated the population of Westchester County, by towns, to be as follows:

	Whites	Slaves	Totals
Bedford	2,427	5	2,432
Cortlandt	3,402	19	3,421
East Chester	1,001	20	1,021
Greenburgh	2,039	25	2,064
Harrison	982	12	994
*Mount Pleasant	3,668	16	3,684
Mamaroneck	878	0	878
New Castle	1,366	2	1,368
New Rochelle	1,129	6	1,135
North Castle	1,477	3	1,480
North Salem	1,164	1	1,165
Pelham	283	0	283
Poundridge	1,356	1	1,357
Rye	1,329	14	1,343
Scarsdale	322	7	329
Somers	1,834	7	1,841
South Salem	1,427	2	1,429
West Chester	2,136	26	2,162
White Plains	667	8	675
Yonkers	1,550	36	1,586
Yorktown	1,986	5	1,991
Totals	32,423	215	32,638

* The town of Ossining was then included in that of Mount Pleasant.

Yonkers had 36 slaves, the largest number, and Mamaroneck and Pelham had none.

Census of 1825.

The census of 1825 gave the County a population of 33,131; 16,692 male persons and 16,439 females. Also showed that there were in the County the year preceding 193 marriages, 941 births, and 391 deaths; that the County contained 239,458 acres of improved land; 30,933 head of cattle, 6,566 horses, 38,042 sheep and 39,293 hogs. Manufactured 36,003¾ yards of domestic fulled cloth, 35,632¼ yards of flannel and woolen cloth—not fulled, and 97,349½ yards of linen, cotton and thin cloth, were produced in the year 1824. In the County there were, at this time, 71 grist mills, 74 sawmills, 5 oil mills, 26 fulling mills, 3 cotton factories, 3 woolen factories, and 22 distilleries.

The population of the county, as shown by the several census enumerations, taken in 1698 and subsequently, was as follows: In 1698, 1,063; in 1703, 1,946; in 1712, 2,815; in 1723, 4,409; in 1731, 6,033; in 1737, 6,745; in 1746, 9,235; in 1749, 10,703; in 1756, 13,257; in 1771, 21,745; in 1790, 24,003; in 1800, 27,347; in 1810, 30,272; in 1814, 26,367; in 1820, 32,638; in 1825, 33,131; in 1830, 36,456; in 1835, 38,789; in 1840, 48,686; in 1845, 47,394; in 1850, 58,263; in 1855, 80,678; in 1860, 99,497; in 1865, 101,197; in 1870, 131,348; in 1875, 103,564*; in 1880, 108,988; (no census taken in 1885); in 1890, 146,772; in 1892, 147,830; (no census taken in 1895); in 1900, 183,375; in 1905, 228,950; in 1910, 283,055.

The population of Westchester County, by minor civil divisions, from 1860 to and including 1905, was as follows:

Town	1865	1875	1880	1890	1892	1900	1905
Bedford	3,465	3,744	3,731	3,291	3,267	3,497	4,759
Cortlandt	9,393	11,928	12,664	15,139	14,039	18,703	21,079
Eastchester	5,615	8,294	8,737	15,442	17,763	3,040	3,986
Greenburgh	8,463	10,943	8,934	11,613	11,630	15,564	18,635
Harrison	1,380	1,431	1,494	1,485	1,444	2,048	2,922
Lewisboro	1,653	1,598	1,612	1,417	1,369	1,311	1,542
Mamaroneck	1,393	1,425	1,863	2,385	2,470	3,849	5,655
Morrisania†	11,691	.....	.....	.....	.....	.....	.....
Mount Vernon City	.....	.....	.....	.....	.....	21,228	25,006
Mount Pleasant	4,389	5,411	5,450	5,844	5,870	8,698	9,728
New Castle	1,879	2,242	2,297	2,110	2,187	2,401	2,956
New Rochelle	3,968	4,678	5,276	9,057	9,990	.....	.....
New Rochelle City	.....	.....	.....	.....	.....	14,720	20,479
North Castle	2,198	1,961	1,818	1,475	1,403	1,471	1,483
Ossining	6,213	8,533	8,769	10,058	8,814	10,895	10,316
Pelham‡	1,043	1,538	2,540	3,941	2,696	1,571	1,841
Poundridge	1,299	1,008	1,034	830	841	823	798
Rye	4,675	5,936	6,576	9,477	9,680	12,861	18,077
Scarsdale	557	529	614	683	594	885	1,018
Westchester‡	3,926	6,560	6,789	10,029	8,326	.....	.....
West Farms†	7,333	.....	.....	.....	.....	.....	.....
White Plains	2,122	2,749	4,094	4,508	4,952	7,869	12,129
Yonkers§	12,756	.....	.....	.....	.....	.....	.....
Yonkers City	.....	17,232	18,892	32,033	31,419	47,931	61,716
Yorktown	2,559	2,610	2,481	2,378	2,241	2,421	2,294

*The apparent decrease in 1875 is owing to several towns in the southern section of the county being annexed to New York city and the taking away of several thousands of population.

† Towns of Morrisania, West Farms and Kingsbridge annexed to City of New York, by Legislature, Chap. 613, Laws of 1873.

‡ Town of Westchester and parts of Eastchester and Pelham annexed to City of New York, by Legislature, Chap. 934, Laws of 1895.

§ City of Yonkers erected from town of Yonkers by Legislature, Chap. 866, Laws of 1872, and town of Kingsbridge erected from town of Yonkers by Supervisors, December 19, 1872.

States in order according to population run as follows: New York, Pennsylvania, Illinois, Ohio, Missouri, Texas, Massachusetts, Indiana, Michigan, Iowa, Georgia, Kentucky, Wisconsin, Tennessee, each with over 2,000,000 population. Nevada has the smallest population.

The largest county in the United States is Custer County, in Montana, which has 20,490 square miles. The smallest county is Bristol County, Rhode Island, which has 25 square miles.

In considering the census reports we are informed, as to proportion of sexes in the United States, that there are more males than females in this nation. As a rule, sparsely settled regions have an excess of males and densely settled regions an excess of females. Cities have more females than males. Increasing proportion of girls among school children. Women live longer than men. Death rate higher for males than females.

The population of New York city is 40.4 per cent foreign born.

Under provisions of Congress, act of July 2, 1909, the Thirteenth Census was directed to be taken in 1910, commencing April 15. The office clerical force was increased to 4,000 employees; 330 supervisors of the census and nearly 70,000 enumerators were appointed. In June, 1909, Congress appropriated $10,000,000 to meet the expenses of this last census, and it was estimated that more than half as much again additional would be needed to meet the expense of finishing the census and putting it in shape for presentation to the public.

The total white population of the original area of the United States in 1610 was but 210 persons. In 1900 the twelfth census showed a population in our territory at that time of over 76,000,000. In 1910 we find it to be 92,000,000. The taking of the census every ten years is somewhat of a task, as can well be imagined, when it is taken into consideration that in 1900 it cost Uncle Sam no less than $13,000,000, and in 1910 much more. Since former date it is figured that his family has increased by about 16,000,000 members. The enumeration had to be finished within two weeks in the cities that had 5,000 population or over at the last census, and within 30 days in all other areas. To perform this task promptly the United States employed the services of 75,000 men, outside the Washington Bureau force. The cost of the census of 1910, it is estimated, will be about $19,000,000.

But it is expected that these figures will be reduced, owing

to the economical and improved methods installed in the Census Bureau. Much saving has been effected by the introduction of semi-automatic electrical card-punching, tabulating and sorting machines. The permanent force of the Census Bureau includes 700 clerks.

The figures and facts of the new census, already sifted out and analyzed, have produced much valuable information. The work on the whole is of the utmost importance, and affords us data for the solution of national problems that we cannot do without if we are to make intelligent progress.

CITIES IN THE COUNTY.

	Incorporated	Population		
		1900	1905	1910
*Yonkers, in town of Yonkers, was incorporated as a village in 1855, and as a city in	1872	47,931	61,716	79,803
*Mount Vernon, in town of Eastchester, was incorporated as a village in 1853, and as a city in	1892	21,228	25,006	30,919
*New Rochelle, town of New Rochelle, was incorporated as a village in 1858, and as a city in	1899	14,720	20,479	28,867

* These cities were chartered by special acts of the Legislature.

Yonkers has become a second class city, as provided for by general act of the Legislature; a position earned by its rapidly increasing population.

INCORPORATED VILLAGES IN THE COUNTY.

	Incorporated	Population			
		1900	1902	1905	1910
Ardsley, town of Greenburgh	1896	404	392	470	537
Briar Cliff Manor, towns of Ossining and Mt. Pleasant	1902	.....	381	417	950
Bronxville, town of Eastchester	1898	579	611	994	1,863
Croton, town of Cortlandt	1898	1,533	1,421	1,599	1,806
Dobbs Ferry, town of Greenburgh	1873	2,888	2,780	3,515	3,455
Elmsford, town of Greenburgh	1910	.....	.....	.....	828
Hastings-on-Hudson, town of Greenburgh	1879	2,002	2,171	3,060	4,552
Irvington, town of Greenburgh	1872	2,231	2,236	2,480	2,319
Larchmont, town of Mamaroneck	1891	945	989	1,760	1,958
Mamaroneck, towns of Mamaroneck and Rye	1895	4,722	3,988	5,090	5,699

	Incorporated	Population			
		1900	1902	1905	1910
*Mount Kisco, towns of Bedford and New Castle	1875	1,346	1,535	1,850	2,802
North Pelham, town of Pelham	1896	684	693	850	1,311
North Tarrytown, town of Mt. Pleasant	1874	4,241	4,165	4,750	5,421
*Ossining, town of Ossining	1813	7,939	7,793	7,135	11,480
*Peekskill, town of Cortlandt	1827	10,358	12,448	13,200	15,246
Pelham, town of Pelham	1896	303	368	349	681
Pelham Manor, town of Pelham	1891	.....	594	638	852
Pleasantville, town of Mount Pleasant	1897	1,204	1,246	1,585	2,207
*Port Chester, town of Rye	1868	7,440	8,631	11,198	12,809
Rye Village, town of Rye	1904	.....	.....	4,076	3,964
Sherman Park,† town of Mount Pleasant	1906	.....	.....	288	423
Tarrytown, town of Greenburgh	1870	4,770	4,961	5,370	5,600
Tuckahoe, town of Eastchester	1902	.....	1,111	1,580	2,722
*White Plains, town of White Plains	1866	7,899	.....	11,579	15,949

* The star indicates the villages incorporated by special act of the Legislature.

† Name changed to Hillside.

Port Chester, from April 23, 1823, to March 11, 1837, was known by the name of "Saw-Pit;" on the latter date the name "Port Chester" was adopted. West Mount Vernon and Central Mount Vernon were incorporated as a village in 1869; in 1875, by vote of the citizens, this village decided to consolidate and become a part of the village of Mount Vernon. Ossining was formerly known as the village of Sing Sing; because the latter name was deemed objectionable owing to its connection with the State Prison located within the village, a special act of the Legislature was secured permitting the change of name as to the village and leaving the old name in sole possession of the prison.

THE PROBLEM OF GOVERNING.

We of this present day cannot fully realize the difficulties that confronted the founders of the Nation when they discovered themselves liberated from control of the mother country and privileged to devise ways for the government of themselves.

Writers of American history dwell with considerable emphasis upon the serious conditions prevailing during the period embracing the fifteen years which intervened between the meeting of the First Continental Congress, in 1774, and the beginning of government under our present Constitution. During these years the country's future was often imperiled, not only by the successes of the British Army in the early stages of the Revolutionary War, but at all times by the inefficiency of our own central government, and later, after our arms had been victorious and the power of Great Britain had been banished from our shores, by the petty jealousy, suspicion and rivalry which prevailed among the respective Colonies.

There had been no permanent union of the Colonies prior to 1774, but each had been careful to preserve its political identity. Attempts at union had been viewed with distrust by the colonists and regarded with disfavor by England. A defensive alliance between the New England Colonies for the purpose of protecting their settlements from attacks by hostile Indians had been effected, but this union did not contemplate a plan for the government of all the Colonies by a central authority. In 1754 Benjamin Franklin and others succeeded in getting together a meeting of representatives from many of the Colonies, in what is known as the "Albany Convention." Here an attempt was made to perfect a union of the Colonies, but the lack of harmony on the part of the colonists and the opposition of England proved the attempt a failure. The "Stamp Act" and the increased oppression of Great Britain succeeded in making a union necessary. Delegates from eight Colonies formed, in 1765, what was known as "The Stamp Act Congress." The continued aggressions of the English government finally led to the formation of the First Continental Congress, to which all Colonies agreed to send delegates.

The First Continental Congress met in September, 1774. Laws enacted by the British Parliament, which the colonists regarded as oppressive, roused the people and caused the formation of this Congress. These obnoxious laws are referred to as the Boston Port Bill, virtually closing the port of Boston to commerce; the Transportation Bill, whereby in certain cases persons accused of murder in resisting the laws might be sent to England for trial; the Massachusetts Bill, an attempt on the part of England to modify the charter of Massachusetts; the Quartering Act, providing for the quartering of British soldiers upon the people; and the Quebec Act, depriving the Colonies of Massachusetts, Connecticut and Virginia of the vast Northwestern Territory claimed by them between the Great Lakes and the Ohio and Mississippi Rivers, and annexing the same to the Province of Quebec. The indignation aroused by the passage and attempted enforcement of these laws was such that, under the lead of Massachusetts and Virginia, a body composed of delegates from all of the thirteen Colonies, except Georgia, assembled in Philadelphia to take such action as might be deemed necessary to obtain a redress of their grievances. This assembly is known in history as the First Continental Congress. It remained in session in Carpenter's Hall, in Philadelphia, from September 5, 1774, to October 26, 1774.

In these sessions the Congress, on behalf of the people of the Colonies, adopted a "Bill of Rights" (setting forth certain inalienable rights of the people, in the enjoyment of which they are to be forever protected by the Government, and thereby placing well defined restrictions upon the powers of the Government and its officers), and formulated addresses to the people of the Colonies and to the king and people of Great Britain, for the purpose, as it was hoped, of bringing about a better understanding between the parties to the controversy, and thus avoiding further conflict. It is to be noticed that at this time the people of the Colonies were still loyal to England and had no thought of becoming an independent nation, but sought only to obtain what they conceived to be their rights as Englishmen. The acts of the First Continental Congress are important in the political history of our country because, by its proceedings, the sentiment in favor of union between the Colonies was strengthened and developed, and at that time general laws were first enacted commanding the respect and obedience of the entire country, and, being ratified and approved by

the respective Colonies, they had all the dignity of national laws.

The Second Continental Congress met in Philadelphia in May, 1775. At this time the battle of Lexington and Concord had taken place and the authority of Congress was recognized as the supreme power of the land. Congress at once assumed management of the Continental Army, raised money for prosecuting the war with Great Britain, and, on behalf of the united Colonies, entered into negotiations with foreign countries. The exercise of such powers as these is one of the attributes of sovereignty, and, with the creation of a central government representing the entire country, the history of the American Union commences.

The Continental Congress has been called a revolutionary body, because there was no legal authority for its existence. Its organization was the spontaneous act of the people, caused by the pressing necessity for some central government. It assumed to act with an authority which it did not really possess, because no powers had ever been conferred upon it expressly by the people, and its existence was due solely to the necessity of meeting the crisis occasioned by the war with Great Britain. Most of its acts had the effect of general laws, as they met with the consent and approval of the people; otherwise Congress would have been powerless to enforce its own commands.

Such a government as this could not be otherwise than inefficient and unsatisfactory, and with the Declaration of Independence the need of a stronger central government was more apparent than ever, for then the Colonies assumed a place among the sovereign, independent nations of the world and required a government having at least power to enforce the obedience of its own citizens.

In 1777, the Articles of Confederation were prepared and submitted to the people of the Colonies for approval. The object of the Confederation was stated to be the formation of a "league of friendship" between the States "for their common defense and the security of their liberties and their mutual and general welfare." The Articles of Confederation were finally adopted in 1781, when the war with Great Britain had practically ceased; but the government under them was a failure, because their plan, while contemplating the creation of a national government, still did not deprive the States of their sovereign powers and left them undisturbed in the exercise

of powers inconsistent with the theory of a strong central government.

A well-known writer, speaking of our nation's early government and referring to the failure of the Articles of Confederation to accomplish what was intended, owing to the want of power to do certain things necessary for the government's maintenance, says:

" For example, it is impossible for any government to exist unless it has the power of raising money with which to meet its obligations. This must be done by taxation, which is simply a method of taking a certain amount of the private property of citizens and applying the same to the payment of the expenses of the government incurred for the common good of all.

" Under the ' league of friendship ' the expenses of government were to be paid out of the common treasury, supplied by the States in proportion to the value of all land within each State, but the taxes for paying that proportion were to be levied by the Legislatures of the several States, not by Congress containing representatives from all States. Consequently, no matter how seriously Congress might need money, it could obtain none unless the States carried out their compact and levied the necessary taxes, a thing which they generally failed to do. Hence, at the very outset, we find the national government absolutely without the power of taxation, probably the most necessary and fundamental prerogative for any government to possess.

" Another of the inseparable attributes of sovereignty is the power to make treaties with foreign nations for the purpose of regulating trade between the countries. Under the Articles of Confederation, Congress had no such power, and consequently Spain and Great Britain refused to make any commercial treaties with the new government, and, in addition, did all they could to hamper the commerce of the States by exacting burdensome taxes upon imported goods and by other restrictions upon trade. This condition of things imposed great hardship upon the people of this country, because they were neither able to purchase abroad many articles of necessity not manufactured here, nor could they dispose of their agricultural products, which constituted their chief wealth.

" A short experience with the scheme of government furnished by the Articles of Confederation served to show that numerous amendments were required to promote the efficiency of the gov-

ernment, and that without such amendments the union of the States, instead of being perpetual, as the Articles had planned, was in constant danger of complete disruption. When this conclusion was reached another glaring defect was found, in that it was provided by these Articles that no amendment could be made unless agreed to in a congress and afterward confirmed by the Legislatures of all the States, thus rendering it extremely difficult, if not in many cases absolutely impossible, to secure any alteration in the government system.

" Many other defects in the Articles of Confederation might be mentioned, but these few will serve to show how imperfect was the system. After the close of the Revolutionary War, and from 1781 to 1789, the condition of the country was deplorable. This has been called ' the critical period of American history,' because then the chances for the success of popular government in this country were about evenly balanced. It was, indeed, ' a time that tried men's souls,' as had been said of the Revolutionary period.

" The close of the war had left the country burdened with a large debt, on which Congress could not pay the interest, because it had no money and no means of getting any. States often refused to pay their due proportion into the public treasury. Open rebellion existed in some parts of the country and Congress was powerless to enforce order. No gold was in circulation and paper money had been issued by the States and by Congress to such an extent as to depreciate its value and render it worthless. Commerce was at a standstill and the entire country was bankrupt. Thoughtful people feared a state of anarchy would soon prevail and the disruption of the Federal Union would follow, some even believing that England would again conquer the country, for the king's troops were still quartered in the military posts along the northern frontier.

" Under such circumstances as these the necessity for a stronger central government became imperative, but the result was not easy to accomplish. More than one attempt was made and failed, but finally a convention composed of delegates from all the Colonies, except Rhode Island, was assembled in Philadelphia on the 14th day of May, 1787. This convention continued in session for four months, and as the result of its labors the present Constitution of the United States was framed and presented to the people for approval.

"But little is known as to the debates which occurred during the sessions of this convention, for the only record of its proceedings which has been preserved consists of the notes taken by James Madison (afterwards President of the United States) and others, who were in attendance as delegates. These notes were very full and make most interesting reading, because they show the range of subjects under consideration and the names of those who were in attendance and participated in the discussions. From these records we learn that the proceedings were reasonably unanimous and free from violent discussion, except upon three questions, the most important of which was the manner in which the different States should be represented in the Federal Congress. And here we again have occasion to notice distrust and suspicion on the part of the smaller toward the larger States. The delegates from the smaller States insisted that, inasmuch as the convention was forming a union of sovereign States, each of the States should have an equal representation in Congress, while on behalf of the larger States it was urged that the number of representatives from each State should be based upon its population. This dispute was compromised by giving to each of the States an equal representation in the Senate, and providing that in the House of Representatives the number of members from each State should be determined by the population. The two remaining questions which provoked serious discussion were whether or not the slave trade should be permitted to continue, and how slaves should be counted in estimating the population of a State as a basis for determining the number of members to which it should be entitled in the House of Representatives. These questions were of immense importance at that time, but owing to the complete abolition of slavery in this country they are now interesting to us only as matters of history."

Among the delegates attending this convention were General Washington, Randolph and Madison from Virginia; Alexander Hamilton from New York; Benjamin Franklin and the two Morrises from Pennsylvania; John Rutledge and the two Pinckneys from South Carolina; Roger Sherman from Connecticut, and many others, all constituting an assemblage of political thinkers whose sagacity has never been surpassed.

The Convention completed its labors on September 17, 1787, after the members had signed the new Constitution.

From the notes of the Convention, taken by James Madison, we reproduce the following to illustrate the impressiveness of the occasion:

"Whilst the last members were signing, Doctor Franklin, looking toward the President's chair, at the back of which a rising sun happened to be painted, observed to a few members near him that painters had found it difficult to distinguish, in their art, a rising from a setting sun. 'I have,' said he, 'often and often, in the course of the session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the President, without being able to tell whether it was rising or setting; but now, at length, I have the happiness to know that it is a rising and not a setting sun.'"

The Constitution* was ratified in June, 1788, by the requisite number of States. This most important instrument has come to be regarded as a masterpiece of political wisdom, not only by those who directly enjoy its benefits, but by students of political institutions throughout the world. Of it the great English Premier Gladstone once said: "As far as I can see, the American Constitution is the most wonderful work ever struck off at one time by the brain and purpose of man."

Mr. Froude, the great English historian, in speaking of our Constitution, said:

"The problem of how to combine a number of self-governed communities into a single commonwealth, which now lies before Englishmen who desire to see a federation of the Empire, has been solved completely in the American Union. The bond which, at the Declaration of Independence, was looser than that which now connects Australia and England, became strengthened by time and custom. The attempt to break it was successfully resisted by the sword, and the American Republic is, and is to continue, so far as reasonable foresight can anticipate, one and henceforth indissoluble."

*The Declaration of Independence and the Constitution of the United States is in an iron safe in the library of the State Department, in Washington, D. C. The four pages of the Constitution and the pages containing the resolution submitting the Constitution to the States of the Union, are in excellent condition. The ink is as black as when fresh laid with a quill pen.

The Declaration of Independence itself is fairly well preserved, but few signatures are legible. Both these important documents were exposed to view on May 7, 1911, the first time in nine years, then because the Secretary of State had to open the safe for the purpose of inspecting the demurrers, which he found in good condition.

PARK LAND FORMERLY IN THE COUNTY.

Pelham Bay Park, formerly within the boundaries of the town of Pelham, now belonging to the City of New York, contains 1,756 acres of land.

Van Cortlandt Park, formerly a part of the town of Yonkers, now belonging to New York City, contains 1,132.35 acres.

Bronx Park, formerly a part of the town of West Farms, now of New York City, comprises 716 acres.

Crotona Park, formerly a part of the town of Morrisania, now belonging to New York City, has 154.6 acres; Claremont Park, nearby, has 38 acres.

Bronx and Pelham parkway is 11,861 feet long and 400 feet wide.

Mosholu parkway is 6,035 feet long and 600 feet wide.

Crotona parkway and avenue is 3,815 feet long and 200 feet wide.

The Spuyten Duyvil parkway is 11,500 feet long, and ranging in width from 60 to 180 feet.

The Borough of the Bronx (formerly the southern section of Westchester County) has a greater area of parks than any of the other boroughs of Greater New York.

The Borough of Manhattan has 47 parks, which are improved and have official names; 10 which are improved and not named; 4 which are named but not improved. Central Park is the largest, with 943,019 acres; Riverside Park has 140,037 acres, and they are the largest of the 61 parks. The driveways in the parks are confined principally to Central and Riverside Parks; Central Park having ten miles of them, ranging in width from 35 feet to 60 feet. Central Park is now valued at $150,000,000.

STATE AND LOCAL GOVERNMENT.

The State of New York contained nineteen counties in 1783, when in March of that year, by act of the Legislature, these counties were subdivided into townships. Westchester County, in 1790, had a population of 24,003 (see page 8, vol. 1, of this Manual), and was subdivided into twenty-one townships. The town of Bedford was considered the county's chief township and had a population of 2,470.

The townships, into which the counties were divided, were corporations invested with certain privileges. The act directs that the freeholders in the several townships shall assemble in town meetings, on the first Tuesday in April annually, and choose their town officers, viz.: One Supervisor, one Town Clerk, from three to seven Assessors, one or more Collectors, two Overseers of the Poor, Commissioners of Highways, Constables, Fence Viewers, Poundmasters, etc. These to hold their respective offices one year, or until others be chosen. This act, which appears to have originated from a spirit of pure republicanism, came in force the first day of April, 1789. It had a happy tendency to disseminate through the State such information and such principles as were calculated to cherish the spirit of freedom and support of free republican government. The frequent gathering of people in town meetings made them acquainted with each other, and assimilated their ideas and their manners. Their being invested with power made them feel their importance and roused their ambition. Advocates of the law maintained that town meetings would be as so many schools, in which all the free citizens of the State might learn how to transact public business with propriety, and in which they might qualify themselves for the highest offices of the State. The number of town offices, it was argued, could be increased, from time to time, without additional expense to the State; and as the desire of promotion is innate in human nature, and as ambition to possess the requisite qualifications commonly accompanies this desire, the probability is that the number of persons qualified for public office would be increased, and of course the number of good citizens proportionably multiplied

and the subordinate civil affairs of the State more faithfully and more regularly transacted.

The town meeting as it existed in the early days, and still exists in some communities, has been considered, in the opinion of best authorities on the subject of civil government, the most perfect example of a government by the people that can be found in the political history of any nation, and the town meeting has been a nursery of patriotism, a school for the education of citizens and a safeguard for the preservation of the liberties of the people. Doubtless these town meetings were, in the early days, what the proposed "direct primaries" are intended for in these days.

These meetings were popular because they permitted all the male inhabitants of the town, over twenty-one years of age, to have a part in the civil government. In these meetings every attendant had an equal voice and was at liberty to make motions, offer resolutions and partake in the discussions of any and all questions under consideration, such as the levying of taxes, the election of officers and the expenditure of public money.

In New England the old custom of holding town meetings still exists in many sections, which have refused to abandon it for more pretentious governmental methods. In these meetings all qualified persons take part and attendance is compulsory, failure to attend being punishable by a fine. These town assemblies are considered a complete exemplification of a government "of the people, for the people and by the people."

All writers are agreed that the various forms of government prevailing in the United States have been the growth of either the Township system, derived from the New England Colonies, or the County system, which was first developed in the Colony of Virginia.

The County, like the Township, was of English origin, and was, in the first instance, used to designate the portions of England in which the early inhabitants dwelt. This is shown plainly by many of the county names which still exist in England. For example, the County of Essex was originally the home of the East Saxons, and the County of Middlesex was the abode of the Middle Saxons. English history informs us that still another German tribe invaded England called the Angles. These people and the Saxons were of similar origin, and the term "Anglo-Saxon" is used to designate the union of these tribes. From the Angles was derived the name of England,

and after their settlement they were divided into two tribes known as "North Folk" and "South Folk," from which originated the two county names of Norfolk and Suffolk. All these county names were imported to this country by the early settlers and one or more of them can be found in use to designate either a county or a city in nearly all of the original thirteen colonies.

Westchester County derives its name from Chester in England, and was given it by early English settlers.

When the Constitution of the United States took effect, in the year 1789, there were no large cities in the country. The largest city was Philadelphia, which had a population of about 31,000 inhabitants. Next came New York with a population of 23,000, followed by Boston with 18,000. These were the largest cities in the original thirteen states, and there were scarcely a dozen others with a population of 5,000 each, so it is apparent that questions of municipal government could not have been troublesome in those days, because it is not in small cities that the present abuses exist.

A well-known writer, in speaking on this subject, says: "The system of municipal government in vogue in this country has been the least successful of all our political institutions. The scheme of government provided by our political forefathers has been satisfactory in national and state affairs, but this has not been the case in the government of cities. The problems of municipal government received but little attention from them, doubtless because they believed that the citizens of a community should have sole charge of the regulation of local affairs. Even if they had considered it a part of their duty to provide a scheme for municipal government, it is doubtful if such a scheme would now be successful, for the reason that the questions which now confront those who are charged with the administration of city affairs did not exist in the latter part of the eighteenth century."

Compare the population of New York, Boston and Philadelphia in 1789 with the population of those cities to-day; compare the expense of running these same cities with the expense of to-day.

In 1910 the Director of the United States census published statistics endeavoring to provide reasons why cities cost so much to run and where the money goes. Most important of all were the facts showing the general cost of being a full-

grown, modern American municipality at the present day. For the purpose of comparison as well as brevity, New York and the other members of the first group of cities have been selected. They are Boston, Philadelphia, St. Louis and Chicago. It costs more to run New York city for a year than it does to run all the other four combined. Indeed, it is a more expensive proposition to pay for maintaining New York than the remaining fourteen cities of the United States which have populations in excess of 300,000.

The expenditures for New York city for 1907 amounted to $433,280,130. The cost of the whole group of fifteen cities was $829,093,363. It is apparent from this that New York's budget for that year, which is the last for which complete comparative tables were obtainable, was considerably more than half the whole group. For the same year the gross expenditures of the four cities ranking next to New York were as follows:

Chicago	$87,695,310
Philadelphia	54,630,372
St. Louis	32,869,768
Boston	55,714,029
Total	$230,909,479

The expense in New York city for 1911 will go far over the million mark.

New York police employees exceed in number double that of any other city in the Union; it had 9,604 men in 1907. Chicago had 4,529; Philadelphia, 3,201; St. Louis, 1,788; Boston, 1,386.

New York City's fire department cost in the year 1907 $7,925,277, a several times greater sum than any other city.

In view of later period changes, picture the surprises that would meet Washington were he able to walk the streets of one of our modern cities to-day: 'He never in his life saw a flagstone sidewalk, nor an asphalted street, nor a pane of glass six feet square. He never heard a factory whistle; he never saw a building ten stories high, nor an elevator, nor a gas jet, nor an electric light; he never saw a hot-air furnace, nor entered a room warmed by steam; he never struck a match, nor sent a telegram, nor spoke through a telephone, nor touched an electric bell; he never saw a horse car, nor an omnibus, nor

a trolley car, nor a ferry boat. Fancy him boarding a street car to take a ride! He would probably pay his fare with a nickel, but the nickel is a coin he never saw. Fancy him staring from the car window at a fence bright with theatrical posters, or at people rushing madly by in an automobile, or at a man riding on a bicycle, or at people sailing through space in a modern air-ship.'

This reference is given to illustrate the changes which have taken place between the year 1789 and the present day. In Washington's time people were satisfied to travel as fast as horses would carry them, and then, some time, the pace was considered too rapid.

The origin of modern cities dates back to the history of England of about the eleventh century, when towns and cities began to grow in importance and receive royal recognition.

In 1789 nearly all the cities in the United States were governed on the plan of the New England town meeting, except the city of New York, which had the first city government in the country. The town meeting was satisfactory until the cities became so large that the annual meetings of the citizens were unwieldy from the number attending them, and each individual citizen could no longer have a voice in public affairs. In such a case an application would be made to the State Legislature (as now) asking that a charter be granted providing a scheme of government and incorporating the city as a body politic.

Boston for a period covering one hundred and eighty years, from the date of its organization as a town to 1822, had a government by town meeting. In the latter year, when the last town meeting was held, the town had a population of 40,000, and the meetings were so large as to be unwieldy and unmanageable. Then an application was made to the State Legislature for a city charter.

Villages may be incorporated under a general act, or by special act of the Legislature. As the population of any locality increases and the territory becomes thickly settled, such locality may become incorporated as a village whenever a majority of the voters at an election held for determining the question shall be in favor of such a change, and with the taking and recording such a vote in the office of the County Clerk.

In the early days of our Nation's history there was no ballot-voting; it was a *viva voce* matter, and each man knew his fellow's creed. At the polling place, in the public hall or on the

open green, electors assembled. On a bench raised high above the crowd were seated the opposing candidates, for Congress or State Delegates, for the close inspection of the electors previous to voting. Near the candidates stood the Sheriff and Deputy Sheriff; around each of the candidates pressed committeemen, workers with tallies, vociferous well-wishers, and prophets of victory, and a few personal friends. Citizens entitled to vote gathered from all sections; they came in vehicles, on horseback and afoot; the strong and the weak, the halt and the blind, the sick and the well, the old and the young; all free men, all alert, all pleasurably excited over the prospect of a political fight in which their side was sure to win.

As the electors approached the bench on which sat the candidates, and in front of the Sheriff, the voter was to announce in a loud, clear voice the name of the candidate for whom he voted; the Sheriff as loudly recorded each vote and a clerk made record in a book of each vote so cast. At the end of the balloting there was no delay in announcing the result of the election.

The custom of the time required that the candidate voted for should thank the man who voted, and that at once and publicly, aloud and aptly, with no slurring acknowledgment of service.

Such elections were held in this County, on the public green in front of St. Paul's Episcopal Church, in East Chester.

In the primitive days much was made of election times. It was one grand gala day, when everybody in the country around assembled expecting to meet every other man with whom he was acquainted. Friends of candidates vied with friends of opposing candidates in endeavors to provide entertainment of a substantial character in the way of nourishment, evidently believing that through banqueting the good will of electors and their votes could be secured. All ranks of society, all ages, occupations and opinions met on a common level and partook of the good cheer furnished by candidates, and, doubtlessly, feasted at the spreads provided by both candidates, accepting, probably, what they received as "honest graft," as the term is used to-day. In many ways, electors were constructed in the early days of our Nation's history as are their relatives of the present period.

Town meetings frequently continued to be held several days.

COUNTY ELECTIONS IN EARLY DAYS.

To illustrate how electors of the early days could be aroused over political issues, equally as well as electors of the present day, a report is here given of an election held on October 29, 1733, for Representative in the Provincial Assembly for Westchester County. It was not like one of those recent village election held in this County, for a few hours in the afternoon; it lasted about three days, and proved to be most exciting.

It was one of the early battles for Colonial rights, and the issue was awaited with intense interest.

Although the voters were from various towns of the County, it was an affair especially of the two great Manors of Morrisania and Phillipseburgh—the opposing hosts being made up chiefly by their respective tenantry. Lewis Morris and Frederick Phillipse were the rival lords of these Manors. They had their mansions in the city of New York and their Manorial Halls—one in Morrisania, the other in Yonkers—on their rural domains. In the town they revolved with a lessened lustre around the provincial court, but in the country they were magnates, calling the roll of their tenants on quarter days from their stone portals.

Each of these semi-feudal proprietors held high office of state; Morris being Chief-Justice of the Province, and Phillipse an Associate-Judge of the Supreme Court. Morris had the Republican traditions of his family, who were once soldiers of Cromwell's horse. Phillipse inherited the ultra-royalist principles prevalent under the Stuarts.

In 1733 Morris was sixty-five years of age, and Phillipse was near fifty. In August of that year Morris had been arbitrarily removed from the office of Chief-Justice by Governor William Cosby for a decision adverse to the Governor in his celebrated suit against Rip Van Dam. James DeLancy was then made Chief-Justice and Phillipse was promoted to the seat of second Judge.

Morris then determined to appeal to the people, and offered himself as a candidate for the Provincial Assembly for the County of Westchester, his son Lewis, Jr., being already a member of that body. Phillipse, his political and social rival, by way

of belittling the contest, put up an obscure schoolmaster and a Jacobite, a Mr. William Forster, as the opposing candidate.

Phillipse had opposed a levy of quit rents on his Manor, which his partisans termed a "land tax," and instead of it had advocated the raising of revenue by excise duties. Hence the opposing rallying cries of the electors. The election took place on Eastchester Green, in front of the old St. Paul's Episcopal Church, still standing there.

At that date the only newspaper in either Province was the New York *Gazette,* a weekly, published by William Bradford, the public printer, who was, of course, devoted to the party of the Governor. This was the first paper published in the Colony, and its first number had appeared only eight years before. The result of this election was not such as pleased the Governor, and the report of same did not appear in the court organ. A reporter connected with the paper journeyed to the scene of election for the purpose of securing the usual "full report," but, owing to the result being adverse to that desired by the Governor's friends, Publisher Bradford refused to allow the report to appear in the *Gazette.* Subsequently, the reporter, John Peter Zenger, showed his report to friends of Morris, who decided to have same published, and so encouraged Zenger that he was able to issue the second newspaper of New York; the first number, entitled the New York *Weekly Journal,* was published on November 5, 1733.

The following is the report of Zenger:

October 29, 1733.

"On this day, Lewis Morris, Esq., late Chief Justice of this Province, was by a majority of voices elected a Representative from the County of Westchester. It was an Election of great Expectation; the Court and the Country's interest was exerted (as is said) to the utmost. I shall give my readers a particular account of it. Nicholas Cooper, Esq., High Sheriff of the said County, having by papers affixed to the Church of Eastchester and other public places, given notice of the Day and Place of Election, without mentioning any time of the Day when it was to be done, which made the Electors on the side of the late Judge very suspicious that some Fraud was intended—to prevent which about fifty of them kept watch upon and about the Green at Eastchester (the Place of Election) from 12 o'clock the night before till the Morning of the Day. The other Electors, begin-

ning to move on Sunday afternoon and evening, so as to be at New Rochelle by Midnight, their way lay through Harrison's Purchase, the Inhabitants of which provided for their Entertainment as they passed each house in their way, having a table plentifully covered for that Purpose. About midnight they all met at the house of William LeCount at New Rochelle, whose house not being large enough to entertain so great a number, a large fire was made in the Street by which they sat till daylight, at which time they began to move. They were joined on the hill at the East end of the Town by about seventy horse of the Electors of the lower part of the County; and then proceeded toward the place of Election in the following order, viz.: First rode two trumpeters and three violins; next, four of the principal Freeholders, one of which carried a banner, on one side of which was affixed in gold capitals, 'King George,' and on the other in golden capitals, 'Liberty and Law;' next followed the Candidate, Lewis Morris, Esq., then two Colours; and at sun rising they entered upon the Green at Eastchester, followed by about three hundred horse of the principal Freeholders of the County, a greater number than had ever appeared for one man since the settlement of that County.

"After having rode three times round the Green, they went to the houses of Joseph Fowler and Mr. Child, who were well prepared for their reception; the late Chief Justice was met on his alighting by several Gentleman who came there to give their votes for him. About 11 o'clock appeared the Candidate of the other side, William Forster, Esq., schoolmaster, appointed by the Society of Propagation of the Gosple, and lately made, by commission from his Excellency the present Governor, Clerk of the Peace and Common Pleas in that County; which commission it is said he purchased for the valuable consideration of one hundred pistories given the Governor. Next him came two ensigns borne by two of the Freeholders; then followed the Honourable James DeLancey, Esq., Chief Justice of the Province of New York, and the Honourable Frederick Phillipse, Esq., Second Judge of the said Province and Baron of the Exchequer, attended by about a hundred and seventy horse of the Freeholders and friends of the said Forster and the two Judges; they entered the Green on the East side, and riding twice round it, their word was 'No Land Tax.'

"As they passed, the second Judge civilly saluted the late Chief Justice by taking off his hat, which the late Judge re-

turned in the same manner, some of the late Judge's party crying out 'No Excise,' and one of them was heard to say (though not by the Judge), 'No Pretender!' Upon which Forster, the Candidate, replied: 'I will take notice of you!' They after that retired to the house of Mr. Baker, which was prepared to receive and entertain them. About an hour after, the High-Sheriff came to town, finely mounted; the housings and hostler-caps being scarlet, richly laced with silver. Upon his approach, the Electors on both sides went into the Green, where they were to elect, and, after having read his Majesty's writ, bid the Electors proceed to the choice, which they did, and a great majority appeared for Mr. Morris, the late Judge; upon which a poll was demanded, but by whom it is not known to the relator, though it was said by many to be done by the Sheriff himself.

"Morris, the Candidate, several times asked the Sheriff upon whose side the majority appeared, but could get no other reply but that a poll must be had; and, accordingly, after about two hours' delay in getting benches, chairs and tables, they began to poll. Soon after, one of those called Quakers, a man of known worth and estate, came to give his vote for the late Judge. Upon this Forster and the two Fowlers, Moses and William, chosen by him to be inspectors, questioned his having an estate, and required of the Sheriff to tender him the book to swear in due form of law, which he refused to do, but offered to take his solemn affirmation, which both by the laws of England and of this Province was indulged to the people called Quakers, and had always been practised from the first election of representatives in this Province to this time, and never refused; but the Sheriff was deaf to all that could be alleged on that side; and, notwithstanding that he was told by the late Chief Justice and James Alexander, Esq., one of his Majesty's Council and Councillor-at-Law, and by William Smith, Esq., Councillor-at-Law, that such a procedure was contrary to law, and a violent attempt of the liberties of the people, he still persisted in refusing the said Quaker to vote, and in like manner did refuse seven-and-thirty Quakers more—men of known and visible estates.

"This Cooper, now High-Sheriff of the said County, is said not only to be a stranger, in that County, but not having a foot of land or other visible estate in it, unless very lately granted, and it is believed that he has not where-with-all to purchase any. The polling had not long been continued before Mr. Edward Stephens, a man of a very considerable estate in the said County,

did openly, in the hearing of all the Freeholders, there assembled, charge William Forster, Esq., the Candidate on the other side, with being a Jacobite and in the interest of the Pretender, and that he should say to Mr. William Willet (a person of good estate and known integrity, who was at that time present and ready to make oath to the truth of what was said), that true it was that he had not taken the oaths to his Majesty King George, and enjoyed a place in the Government under him which gave him bread; yet notwithstanding that should King James come into England he should think himself obliged to go there and fight for him. This was loudly and strongly urged to Forster's face, who denied it to be true; and no more was said of it at that time.

"About 11 o'clock that night the poll was closed, and it stood thus:

For the late Chief Justice	231
The Quakers	38
Total	269
For William Forster, Esq	151
The Difference	118
Total	269

"So that the late Chief Justice carried it by a great majority without the Quakers. Upon closing the poll the other Candidate, Forster, and the Sheriff wished the late Chief Justice much joy. Forster said he hoped the late Judge would not think the worst of him for setting up against him, to which the Judge replied he believed he was put upon it against his inclinations, but that he was highly blamable, and who did or should know better for putting the Sheriff, who was a stranger and ignorant upon such matters, upon making so violent an attempt upon the liberty of the people, which would expose him to ruin if he were worth 10,000 pounds, if the people aggrieved should commence suit against him. The people made a loud huzza, which the late Chief Judge blamed very much, as what he thought not right. Forster replied he took no notice of what the common people did, since Mr. Morris did not put them upon the doing of it. The indentures being sealed the whole body of Electors waited on their new Representative to his lodgings with trumpets sounding and

violins playing, and in a little time took their leave of him, and thus ended the election to the general satisfaction."

The election of Mr. Morris caused great rejoicing in New York city, and when, on the 31st of October, he landed in that place he was saluted by a general fire of the guns from the merchant vessels lying in the harbor, and was "received by great numbers of the most considerable merchants and inhabitants of the city, and by them with loud acclamations of the people as he walked the streets, conducted to the Black Horse Tavern (northwest corner of Smith, now William street, and Garden street, now Exchange place), where a handsome entertainment was prepared for him at the charge of the Gentlemen who received him, and in the middle of one side of the room was fixed a tablet with golden Capitals, "King George, Liberty and Law."

Another notable election was that held in 1775, of the two Manors of Westchester County. The actors of the former scene had passed away, but their descendants were still arrayed in opposition, battling for important issues. In the third generation the heirs of the former lords led their respective tenantry and partisans, Col. Lewis Morris on the one side and Col. Frederick Phillipse on the other. The question was whether the colony should be represented in full in the Second Continental Congress, about to assemble in Philadelphia. The people of Westchester County were therefore called to meet on April 11 at White Plains, to select delegates to the New York Provincial Congress, or else refuse to do so. The Royalists, or "Friends of the Government," under Phillipse, were defeated. The news of the result of the election in Westchester County was received with rejoicing all over the country, and when news was brought of the action of the White Plains convention the church bells of New York city rang out peals of joy. The White Plains convention was held a week before the battle of White Plains. The next year Col. Lewis Morris signed the Declaration of Independence.

It was Col. Lewis Morris who presided over the people's mass meeting held in the Court House, White Plains, immediately after news had been received of the battles of Lexington and Concord. He urged the patriotic citizens of Westchester County to declare themselves on the side of those who denounced the course Parliament had pursued in opposing English subjects in America, and to come out boldly in favor of immediate separation and armed revolution. The meeting acted

in accordance with Col. Morris' suggestions, and decided for all time where Westchester County would stand during the coming struggle—committed to the patriotic cause. The meeting further elected Col. Morris as a delegate to the first Continental Congress to convene in Philadelphia, and thus he became one of the signers of the Declaration of Independence.

ITEMS OF INTEREST.

The New York city subway railroad system was completed and put in operation October 31, 1906.

The recent act authorizing the condemnation of lands in proceedings to enable New York city to increase its water supply, was passed in 1905.

Westchester County, or a considerable portion of it, is to be used for storage of the vast quantities of water necessary for the use of residents of the city of New York. Reservoirs of great capacity will be found in many sections in the northern and middle sections of the County, and even as far south as Yonkers. Here is where the Croton water is stored, and here will be stored the water brought down from the Catskills. New and extensive reservoirs are being constructed in readiness to receive the new supply.

A huge aqueduct, like a railroad tunnel, is to be built underneath the city of New York, the first to be constructed under a large city, to run seventeen and a half miles through the heart of the big city. It will run far below the levels of any subway. It is estimated that the cost will be no less than $25,000,000. It is necessary to bore through solid rock, as the walls must resist a tremendous volume of water which will come down from the Catskills, ninety-six miles away, with the force of a Niagara.

On Good Friday, April 14, 1865, Abraham Lincoln, President of the United States, was assassinated, in Ford's Theater, Washington, D. C. The forty-sixth anniversary of this sad event occurred on Good Friday in 1911; a similar anniversary had not fallen upon a Good Friday since 1876, and it will not again until 1922.

Reference is made of the remarkable coincidences in the lives of Abraham Lincoln, who became President of the United States, and Jefferson Davis, who became President of the so-called Confederate States, and opponents during the Civil War. Both were born in Kentucky. Lincoln in 1809, Davis in 1808, making them nearly of the same age. Both removed from their native State in their childhood. Lincoln to the Northwest, Davis to the Southwest. Lincoln was a captain of volunteers and Davis a second lieutenant of regulars in the Black Hawk War of 1832. They began their political careers the same year, 1844, Lincoln being a Presidential Elector for Clay and Davis for Polk. They were elected to Congress about the same time, 1845 and 1846. They were called to preside over their respective governments the same year and within a few days; Davis over the Confederate States, February 8, 1861, and Lincoln as President of the United States, on March 4, 1861.

Davis, previous to the organization of the Confederacy, was Secretary of War in the Cabinet of President Pierce, and served his State as a United States Senator. Lincoln also aspired to be a United States Senator, but was defeated by Douglas, after an heroic fight.

Congress, in the year 1885, passed an act fixing the Presidential succession. In case of the removal, death, resignation, or inability of both the President and Vice-President, then the Secretary of State shall act as President until the disability of the President or Vice-President is removed or a President is elected. If there be no Secretary of State, then the Secretary of the Treasury will act; and the remainder of the order of succession is as follows: The Secretary of War, Attorney-General, Postmaster-General, Secretary of the Navy, and Secretary of the Interior. The acting President must, upon taking office, convene Congress, if not at the time in session, in extraordinary session, giving twenty days' notice. This act applies only to such Cabinet officers as shall have been confirmed by the Senate and are eligible under the Constitution to the Presidency.

POLITICAL PARTIES AND THEIR ORIGIN.

In dealing with the biographical annals of the County, with men of affairs, this publication has entered the political life of Nation, State and Community.

Politics is here spoken of in its broadest sense, meaning the science of government. Politics as it deals with the question of statecraft and the regulation of the public affairs of the Nation, the preservation of its safety, peace and prosperity, the defense of its rights and territory from foreign control and conquest, and the increase of its own strength and resources. One who is well versed in this science is a politician in the highest sense of the word. The term politician, as just defined, is synonymous with that of statesman.

The existence of at least two political parties is believed to be required under our form of government; as it is, apparently, necessary that citizens range themselves on one side or the other in discussion of political questions that generally develop differences of opinion, even upon the simplest governmental propositions.

A good citizen will familiarize himself with politics concerning his country. To become conversant with politics does not require making politics a business to the exclusion of other vocations, and becoming classified as a " Practical Politician," a title much abused.

It has been urged, and properly too, that the man endowed with the elective franchise who does not exercise the same, should have the privilege of voting taken from him. There are some of this sort, we regret to say, who will not vote at a political election, because they are fearful that association with politics might prove contaminating. Should not the franchise be taken from them that they be freed from temptation?

The right of voting is one of the most valuable prerogatives of citizenship, and the duty of voting and taking part in public affairs should never be neglected by patriotic citizens.

Such, who might be voters and take part in the civic life, if they desire to be good citizens, are often the loudest in lament-

ing over what they term a fact that "the best men are not elected to public office." In this connection the question might be asked, what have they done to bring about a better state of affairs? Are they willing to accept a public trust, to devote valuable time to the service of their fellow citizens, that better conditions may be inaugurated? Does not the unjust criticism of public officials furnish cause for "the higher grade" of citizens being reluctant about accepting public positions, and subjecting themselves to the too common suspicion that an official becomes such owing to a desire for private gain or to commit some flagrant wrong?

As has been wisely said, an official cannot be expected to be superior in tone to the community which has elected him as its representative.

Would not the way to better conditions be found in stopping fault finding and in the enlistment of every good citizen in the work of securing faithful discharge of public trusts? Let not your excuse be, "other people's business is not my business." That laws be observed and good citizenship prevail, that the protection of your family and the peace of your neighbor be maintained, should prove incentive enough for the average man taking interest in public affairs.

President Butler of Columbia College, in a recent address, said: "If the decent people of America would begin to-morrow to do things which their private beliefs and their public professions require, the sum total of the world's comfort and happiness would be marvelously increased before sunset. Let us put a bounty on good citizenship by giving to it great influence, by rendering it high honor, and by holding it in incomparable esteem. Let these standards be set early in the home and in the school. Before all else, keep the inspiring maxim, liberty under law, before every American child, and as he grows in power of appreciation see that he understands what it means and involves.

"The perpetuation of democracy depends upon the existence in the people of that habit of will which is justice. Liberty under law is the process for attaining justice which has thus far been most successful among civilized men. The call to citizenship is a call to the exercise of liberty under law, a call to the limitation of liberty by law, and a call to the pursuit of justice, not only for one's self, but for others."

A good, law-abiding citizen will take interest in public affairs that he may aid in upholding law, and secure liberty and justice, not only for himself, but for others.

Governor Hadley, of Missouri, in an address recently delivered before the Missouri University Alumni Association, recommended the establishment of a school of politics.

"When I was in school I was taught not to run for office," said he. "That is the reason I moved to Missouri, for I thought I would be immune here. The university should be kept out of partisan politics. I should add another school to your great university, a school of politics. I would put at the head of it the most experienced and most proficient politician in the State. I would choose a high-minded and an honest man, one who places principle above party and righteousness above success. Politics is an honorable and can be an honest calling."

Citizens living under a popular form of government should be interested in politics and public questions, that an enlightened public opinion may be created and maintained which will correct the faults of government, guide the acts of public officials and counteract the evils which are likely to result from dishonest or incompetent management of public affairs.

Differences of opinion on political questions create divisions in the large body of electors. From the formation of a union of those, whose opinions are similar, is born what we know as political parties. The mission of the political party, as generally understood, is to secure the ascendency of their party ideas and the election to public office of candidates who will carry out a particular political policy. Political party management is directed by leaders, or what is familiarly known as "the organization," in every State, county, city and municipality throughout the country.

As a general rule, each of the political parties endeavor to nominate for public office men of recognized worth and integrity; men with unblemished reputations in the community where they have been long known, and, in many instances, where they have resided for a life time. Against whom it is believed not one word detrimental to his private or public character could be uttered. Yet, after the nomination most scandalous stories are put in circulation picturing nominees of all parties as the most disreputable and undesirable citizens that could be found. That these circulated stories are proven to be the basest kind of falsehoods, manufactured for political

effect, does not make it more gratifying to the candidate who finds he has little redress against moral assassins. Perhaps the utterance of untruths is expected to be excused on the score of "campaign hysteria." There is no excuse to be accepted for it. Those who instigate criminal libel, who mistake freedom of expression for license, are striking at the very basis of our political system, and drastic means of punishment should be provided.

EARLY ORGANIZATION OF PARTIES.

The formation of political parties commenced with the first session of Congress held after the adoption of the Constitution, and the discussion of questions of taxation developed the issue upon which citizens divided. We have seen that the failure of government under the Articles of Confederation was due largely to the fact that the general government had no power to raise money by taxation. Accordingly, one of the first problems which presented itself to the new government was to devise a system of taxation which would secure sufficient revenue to meet the expense of government, and at the same time would not prove too burdensome to an impoverished people.

Alexander Hamilton was the first Secretary of the Treasury, and upon him devolved the duty of solving the problem. The task was a delicate one, owing to the fact that many citizens had seriously opposed the adoption of the Constitution, because they feared that taxation under the Federal Government would be excessive and ruinous to citizens already overburdened with local taxes.

The methods of taxation introduced by Hamilton were substantially the same as the system now in vogue, viz., duties on imported goods and internal revenue taxes upon a few articles of domestic production, such as whiskey and tobacco. The system of direct taxation, by levying a duty on imported goods, excited no opposition on the part of the citizen, because it is a tax which is paid in the form of an enhanced price placed upon the imported goods. This method of taxation has been constantly in use as a means of raising a national revenue, solely because the people who pay the taxes do not realize that they are doing so, and consequently make no complaint of the burdens of taxation.

The individual, when he considers his tax relations with the government, may realize that the government taxes the blanket

he is wrapped up in when he is born. It taxes the lumber in the roof that covers his head. It taxes the food that he eats, the clothes that he wears, the coffin in which he is buried and the humble gravestone that bids him rest in peace with the hope of a glorious resurrection.

The system of internal revenue taxation devised by Hamilton provoked serious opposition from the outset, which culminated in the Whiskey Rebellion in Western Pennsylvania. This insurrection was quelled by the Federal Army, and thereafter the opposition adopted the more reasonable methods of discussion to accomplish its objects.

The measures recommended to Congress by Alexander Hamilton covered a variety of subjects bearing upon the policy to be pursued by the new government, such as the raising and collection of revenue, estimates of the income and expenditures of the government, the regulation of the currency, navigation laws, the Post Office Department and the public lands. Dealing more particularly with the financial policy of the government, he devised the system of taxation already mentioned, made an exhaustive report upon the public credit, wherein he prepared a plan for refunding and finally paying the entire indebtedness of the United States, as well as the debts contracted by the different States during the Revolutionary War.

It must not be understood that these measures presented by Hamilton were adopted without serious discussion, though finally enacted as laws, forming a comprehensive system of public policy. This, at times, bitter discussion in debates created a feeling that finally resulted in the formation of two well-defined and compact political parties.

During President Washington's administration the leadership of the opposition to Hamilton and his measures was bestowed on Thomas Jefferson, also a member of Washington's cabinet, as Secretary of State, about the latter part of the year 1791. This opposition to the Hamilton policy was based chiefly upon the theory that Congress did not have power under the Constitution to enact the measures which Hamilton recommended. The government of the United States possesses only those specific powers which are enumerated in the Constitution. When it is first proposed that the government shall exercise a particular power, the question is always raised as to whether or not the provisions of the Constitution will permit.

As it was when Secretary Hamilton recommended the establishment of a national bank, his opponents contended that the power to enact such a law was not granted by the Constitution. Hamilton and his friends met this argument by asserting that in addition to the powers expressly enumerated in the Constitution, the government has certain implied powers; as example, they cited the provision of the Constitution which gives to Congress authority to make all laws necessary and proper for carrying into effect the powers delegated to the general government, which is sometimes called the *elastic clause* of the Constitution.

Ever since the adoption of the Constitution, Congress has had power to levy direct taxes if it pleases, subject only to the restrictions that they be apportioned among the several States according to population. As a matter of public policy, however, Congress has never exercised this power. The effect of popular sentiment upon the taxing powers of Congress is stated with exceptional force by United States Supreme Court Justice Harlan in his recent dissenting opinion in the income-tax case. He says: "Any attempt on the part of Congress to apportion among the States, upon the basis simply of their population, taxation of personal property or of incomes, would tend to arouse such indignation among the freemen of America that it would never be repeated." In other words, the taxing power of Congress has to be exercised in accordance with the sentiment of the American people.

Congress recently, in 1908, levied an excise tax upon the net income of all corporations doing business in the United States.

In the time of the Civil War, and during the Spanish-American War, Congress enacted what was termed a stamp-tax, to raise money to defray current expenses of the Government revenues received from other sources proving inadequate.

Contests in early Congresses over what was termed Constitutional questions were always spirited, and sometimes, probably, very bitter.

Representatives of the Nation in those days were patriotic, above desire for personal gain or advantage, seeking first the welfare of their country, for which many of them had made personal sacrifices; they were able, strong, sincere.

Thomas Jefferson, in leading the forces opposing that remarkable young leader Alexander Hamilton, was aided by Randolph Attorney-General in Washington's Cabinet, and James Madison

who later, like Jefferson, became a President of the United States. Hamilton would, more than probably, have reached that high office had it not been for his untimely death at the hands of one who dared to question his bravery.

The discussions between Hamilton and his allies on one side and Jefferson and Madison and their supporters on the other, are said to have been the most brilliant ever heard in the Nation's legislative bodies.

It was not long before the people began ranging themselves on one side or on the other, and a result was the formation of two political parties, representing two theories as to proper construction of the Constitution. One of these parties, of which Hamilton was the leading representative, favored what has been termed a " loose " construction of the Constitution, giving the government extensive implied powers. This was called the Federalist party. The followers of the other party contended for a " strict " construction of the Constitution, allowing the general government to exercise only the powers which had been granted to it in specific terms. Jefferson was the acknowledged leader of this latter party, which was first called the Anti-Federalist party, and then, within a few years, the Republican-Democratic party.

Since then the citizens of the United States have been divided principally into two parties along practically the same lines, although the names of the parties have changed from time to time. The Federalist party retained that name until 1828, when, until 1832, it was known as the National Republican party. In the latter year the name was changed to the Whig party, which declared for Protection of Home Industry, National Internal Improvements, etc. The Whig party name continued until 1854, when it, or a part of it, adopted the name of Republican party, the designation it bears to-day. In 1856, at a convention held in Pittsburg, Pa., the name Republican was generally adopted by this party. The party of Thomas Jefferson held on to the name Republican-Democratic until 1828, when the name Democratic was adopted, and is the name by which the party is known at present.

In 1843 there sprung up what was known as the " American " party, familiarly characterized as the " Know-Nothing " party. It had its origin in New York city and spread to other large cities. The party first assumed the shape of a secret order, hostile in profession to foreign domination, and in effect to the

naturalization of immigrants until after a residence in this country twenty-one years, the time a native born has to serve before he reaches his majority and becomes eligible to vote. This party was at first confined to the larger cities, but in the early fifties its influence had extended and achieved temporary triumphs in many southern and eastern states. Many who had been prominent as leaders in the Whig party had gone into the American party. In 1855 the American party came within a few votes of carrying New York State and controlling the State Legislature. In 1856 this party nominated as its candidate for President of the United States, Millard Fillmore, of this State, who had been Vice-President elected on the Whig ticket, and who had served as President, filling the vacancy caused by the death of President Taylor. In this latter election the American party made such a poor showing, carrying only one State, Maryland, that it went gradually down, dwindling until its members had been fully absorbed into one or the other of the great rival parties.

During the present year (1911) a Republican statesman of national fame, on being asked his views as to the possibilities of the formation of a new political party, such as the so-called "New Nationalists," growing out of the present dissensions in the older party ranks, replied, "I have little faith or belief in these announcements of the birth of new political parties through man-made agencies. New parties grow and develop because they are started from the seed of an issue. Issues make political parties, not men. It is no more possible for one man to plan and create a party than it is to bridge the Atlantic. No, not for one man nor ten men, nor ten thousand men, to form a new party. These new parties come and they go. They spring up in the night and are chased away by a sunrise. Many of them have been seen to come and go within the last fifty years."

"In 1864 there was an attempt by some of the strongest men in the Republican party to form a newer party right in the furnace heat of the Rebellion. They met at Cleveland, Ohio. They had conferences and they even went so far as to nominate for President John C. Fremont, who had been the Republican party candidate for President in 1856; but this new party did not even live until election day."

"Then came the Liberal Republican movement of 1872. That was the year I came to Congress. That movement failed of

fruition, although it took no less personages than David Davis and Gov. Trumbull of Illinois and Gen. Nathaniel P. Banks out of the Republican party and they made Greeley their nominee."

"The defeat of Greeley was the death knell of the Liberal Republican party."

"The same year another political party, calling itself the Greenback party, came into existence, and tried to nominate the most esteemed philanthropist Peter Cooper for the Presidency."

"The Greenbackers came to the front again in 1876 and figured in a small way in the campaign of 1880. Then we had the Populist movement, that lived and died and went the way of the others.

"No, there won't be a new party until there is a new issue, and there is not a new issue to-day. Of course, the Prohibitionists, we always have them with us. They will hardly reach the proportions of a new party. They have been trying too long for the distance they have gotten thus far."

CHOOSING A PRESIDENT.

The question as to "who shall be chosen the first President" of the new Republic, was one of the many difficult problems that confronted the early day patriots, the young nation's best friends, and proved to be a matter of serious concern. As natural to be supposed, there were many willing to serve the public in the capacity of President, and in this respect human nature was in that former period very much as it is to-day, Many call, but few are wanted.

General Washington was the first choice by unanimous consent. He had, however, on resigning his commission at the close of the war, announced his intention of retiring from public business, and had been with difficulty induced to act as a member of the Constitutional Convention. To abandon his retirement for the labors of the office of President was even more repugnant to his wishes.

Benjamin Franklin, who had served his country most loyally at home and in positions of great responsibility abroad, was considered, but the advanced age of Franklin rendered it inexpedient that he should be a candidate for the Presidency, nor is it possible that he would have permitted himself to be proposed. John Adams, of Massachusetts, was a willing candidate, and in fact was the only apparent candidate against

Washington or any one else in the field; his persistency gained for him election as first Vice-President.

The more the question was considered, stronger appeared the necessity of electing Gen. Washington. He was believed to be the only person who would be likely to unite all suffrages. The demand for Washington was so strong that even he himself could not overcome it in any other way than by compliance with the wishes of the people. His repugnance was such that it became necessary that he should be strongly urged to allow his being proposed as a candidate for the Presidency. Prominent men, whose standing entitled them to serious consideration, wrote strong letters pressing him to undertake this important office. Gen. Washington, convinced by these arguments, no longer attempted to shun the responsibilities involved, and his name was proposed to the electoral college.

His election followed unanimously. His Cabinet was composed of the heads of four departments, Secretary of State, Secretary of the Treasury, Secretary of War, and an Attorney-General. Two members of the Cabinet, Thomas Jefferson, Secretary of State, and Edmund Randolph, Attorney-General, were, like the President, from Virginia, Alexander Hamilton, Secretary of the Treasury, was from New York, and Henry Knox, Secretary of War (army and navy), was from Massachusetts.

At the commencement of President Washington's first term there was no semblance of a political party, but, as the performance of public business progressed in Congress, opinions differed and men began to take sides on questions occurring. On the subjects of credit, of finance, of an excise, and of a National Bank, the Cabinet of President Washington was divided. Jefferson, who held for a strict interpretation of the Constitution, appeared as the opponent of many of the measures of Hamilton, who favored a liberal construction of the Constitution. A gradual estrangement, and, finally, a cessation of friendly intercourse between them, had thus arisen (though later Hamilton did Jefferson a great service when opportunity afforded). President Washington had applied himself assiduously to heal the breach, but unsuccessfully. The President reposed perfect reliance in the integrity and honesty of purpose of both; and while maintaining most cordial relations, he appears to have determined to commit himself in no shape with a party which might be formed to sustain the opinions of either. The

end of his first term of office was about to expire, and he longed to retire to private life. This wish was combatted by members of his Cabinet. His retention in office was one thing they surely agreed upon. Jefferson, Hamilton and Randolph each addressed him letters expressive of their opinions on this subject; and, however various were their views and the reasons they alleged, they concurred in urging him to serve for a second term. His consent to be considered as a candidate was reluctantly given, and he was elected and again inaugurated.

Up to this time little distinction of party existed, save that founded on the old difference between the friends and the opponents of the Federal Constitution. The personal popularity of President Washington, and the reverence in which he was held by the great body of the people, would have rendered any direct attempt to oppose his administration fatal to those who made it.

The debates on the funded system and excise, and more particularly the question of the constitutionality of a National Bank, led to a distinction among political men which speedily caused the formation of two great factions, whose contests continued for more than twenty years. Hamilton became the leader of the Federal party, which adopted his principles. The opposite party, the Anti-Federal, later the Republican, recognized as its leaders Jefferson and Randolph, of the President's Cabinet, and James Madison, then a member of Congress, afterward President.

President Washington had resolved that he would not govern as the President of a faction, and knew his power of making the discordant materials of his Cabinet work together for the general good. Therefore neither of the opposing parties assumed the form of opposition to him, but charged what was obnoxious to each upon the leaders of the other.

President Washington at all times friendly with Secretary Hamilton and to a considerable degree favoring Hamilton's measures, yet had the highest regard for Secretary Jefferson and other members of his Cabinet. In several instances he was governed by the opinions of Secretaries Jefferson and Randolph, contrary to the advice of Hamilton. When it came to dealing with foreign nations and upholding the interests of this country, the Cabinet was unanimous in giving hearty support to the President. In fact in all cases when the President made

known his wishes he found his Cabinet united in carrying out his views.

When Hamilton, in 1795, resigned the office of Secretary of the Treasury and returned to New York and recommenced the practice of law, he retained his place as head of the Federalist party. He found that to make money necessary for a proper existence for self and family, he could not afford to devote all his time to politics. In those days of official purity, it was not yet imagined that the possession of a public trust could ever be made a source of fortune, either directly or indirectly. The salaries were fixed at the lowest limit believed to be compatible with the decent support of the incumbent; (Washington had urged that he be permitted to serve as President without salary, that the money be used where most needed) and an attempt to save from salary would be considered saving what was granted for public purposes and would have been visited by contempt. Speculations growing out of the opportunity for information possessed by the departments would have been reckoned criminal, if not within the strict letter of the laws, at least in the eye of the community. Hamilton, however, never seems to have imagined the possibility of acquiring wealth in the latter way. Had this been his object, he had opportunities such as no other public man ever possessed. Jefferson and other members of Washington's Cabinet were equally above suspicion and no charge of official wrong committed was ever brought against either.

When Hamilton retired from the office of Secretary of the Treasury, after nearly twenty years of public service, he did so with less wealth than when he had entered it; and the necessity for providing a support for his family was his strongest reason for resigning. His hopes for success at the bar were fully realized.

The administration of Washington was drawing to a close, in 1796, and he had determined not to serve a third term. The two great parties had been fully developed, and Jefferson had been placed at the head of that which, after passing through the phases of Anti-Federal and Democratic, had assumed the style of Republican. The opposing party remained known as the Federal, with Hamilton as its acknowledged leader.

John Adams, the second President, was credited to the Federal party, but was more inclined to consider himself the party leader than to recognize Hamilton as such.

The administration of Adams professed to carry out Washington's "policies." The heads of department under Washington (after Hamilton, Jefferson, Randolph and Knox had resigned), were retained in office, and all the great features of the national policy remained for a time unchanged. Adams, however, speedily became unpopular. The fact that he had been the apparent opponent of Washington in the election for President, which was necessary, in the original form of the Constitution, to make him Vice-President, and the large majority by which he was chosen as the successor, seem to have given him an overwhelming estimate of his personal importance. Beginning his political career by professions of implicit obedience to the popular will, he underwent, when he obtained power, the transformation almost certain to demagogues, from supple subserviency to arbitrary exertion of authority. Familiar with the etiquette of the courts of Europe, he felt inclined to mimic the state and seclusion of monarchs. The reserve and distance of manner, natural and dignified in President Washington, might awe, but they never excited resentment. Manners of the same description, ingrafted unnaturally on the less imposing person of Adams, excited derision in some, and roused the anger of others. The sterling honesty of his purposes was no compensation for the faults of his manner. Advantage was taken by the opposition party of the defects of his character, and the popularity of his administration speedily declined.

In one or more instances Washington had to intercede to prevent Adams making blunders fatal to his administration. Instead of appreciating the kind offices of the former President he grew jealous, especially when he realized that the greater part of his Cabinet entertained a higher respect for the opinions of Washington than for his own. Further, Adams became jealous of Hamilton, whom he considered an aspirant for the Presidency, and for this and similar foolish reasons he became estranged from the party to which he owed his own elevation to office. Probably Washington's high regard for Hamilton was a cause of Adams considering Hamilton as a dangerous rival. The petty jealousies and vacillating policy of the Adams administration were the contributing causes of the decline of the Federal party. Thomas Jefferson, who was head of the party opposing that which Adams represented, and at the same time Vice-President, was a man of entirely different temperament from that of Adams and shared to a greater degree the

popularity given Washington; he was able to note the mistakes President Adams made and to profit by Adams' experience.

It was John Adams who described New York politics as "the devil's own incomprehensible."

The leaders of the Federal party were guilty of mistakes made by many political leaders since that early day; taking it for granted that the "organization" is so strong that error after error committed will be overlooked by a "long-suffering people."

The continued victories which had been gained by the Federalists from the time the Convention which framed the Constitution assembled, caused them to forget the absolute dependence of our politicians on popular favor. The leading Federalists held themselves aloof from the mass of the people, and thus gave force to the charge of aristocratic feeling which was urged against them. This charge was reiterated until it was believed by many, and alienated the yeomanry of the country from Adams' administration. Another cause was the levying of special tax for warlike preparations; among these taxes was that of stamps, which was adroitly coupled by the opposing party with the similar measure that, when enacted by the British Parliament, had operated as one of the prominent causes of the Revolutionary struggle.

Finally, two laws were passed repugnant to the feelings of the people, the one imposing penalties on political writers, and creating the crime of sedition; the other placing the personal liberty of emigrants at the disposal of the executive. By these acts many of those who had swelled the Federal majorities became alienated, and if they did not join their strength to the Republican-Democratic party, withdrew their support from the administration.

The death of Washington might also be considered as one of the causes of the decline of the strength of the Federal party. We have here spoken of that prudence which held the balance between the members of his Cabinet, that, while he may have adopted the views of one, he gave to the others no just cause of offense. After his retirement from office, Washington was not specially active in public affairs; he had by no public act, save the acceptance of the command of the provisional army which it was thought best to organize to be in readiness in case of need, given support to the administration of Adams: at times it seemed as if his dissatisfaction with the policy of Adams was such that it appears possible that he might have been induced

to stand again as a candidate for the Presidency. He was still in the vigor of his faculties, and little impaired in personal activity; and the convictions of the danger to which the country was exposed from the prevalence of the principles of the French Revolutionists were such that it is not improbable that he might again have left his beloved retirement, could he have been satisfied that by so doing he would have again become the ruler of a nation, not the head of a political party.

The consummate prudence and political tact of Jefferson prevented the forebodings of Washington from being realized. The funded debt was not meddled with; the National Bank was not only left undisturbed, but continued as the fiscal agent of the government; a dignified policy relative to foreign powers was maintained, and the measures enacted during Washington's administration, and dear to him, were not interfered with. Jefferson even studiously avoided the exercise of his Constitutional powers of removal from office for the mere purpose of rewarding his political adherents.

Such was the number of seceders from the Federal party after the death of Washington, that their opponents resolved to adopt the bold policy of running two candidates in order to secure the election of a Vice-President, and thus, although a choice by the electoral colleges was not effected, the two candidates of the Republican-Democratic party were brought before the House of Representatives with claims apparently equal. In the vote of this body by States, it soon appeared that the Federal members had it in their power to determine which of the two, Thomas Jefferson or Aaron Burr, should be chosen President to succeed Adams. Many violent Federal partisans were inclined to throw a brand of discord into the Republican-Democratic party, by conferring the dignity upon Burr, who even at that time was considered a demagogue, a political adventurer who would serve only his own ends regardless of the interests of others more patriotic. At this time Burr was accused of intriguing with opponents of his party to secure preferment for himself. It is reliably stated that Hamilton, whom the death of Washington had placed in the first rank of the Federal party, was responsible for the defeat of Burr, as he interfered to prevent the votes of his friends being cast for that gentleman. And this action on the part of Hamilton contributed to the ill-feeling between Hamilton and Burr that led to the killing of the former by the latter.

For Jefferson, Hamilton had no affection, nor did he believe in the honesty of his views; but he knew that he would at least be governed by the prescribed forms of legislation, and that the alterations which his advent might cause in the policy of the government would be in conformity with the letter of the Constitution, and directed by the sanctions of legal enactment.

The success of Jefferson embittered Burr, and roused his most violent nature. He appears to have ascribed the disappointment he felt, but did not venture openly to avow, to Hamilton.

Burr* had, like Hamilton, been commissioned at Peekskill by Gen. Washington, but at the very beginning of his career in the army had been excluded from the military family of Washington on account of his open profligacy, and he had seen Hamilton occupying the station to which he had aspired. Professional rivalry had existed between them at the New York bar, and while, in point of mere talent, they ranked as equals, Burr saw that the universally admitted purity of Hamilton's character gave him an ascendancy against which it was vain to strive. All these causes united excited in the breast of Burr a vindictive spirit, the more furious in consequence of the necessity of repressing it.

The violence of party politics was far from being abated by the election of Jefferson to the Presidency. Hamilton was called upon to reorganize the Federal party and put it on fighting basis to contend with Jefferson's administration; he gave to the cause of his party the aid of his powerful pen, and succeeded in restoring the unity of the Federal party, which had been impaired by the impolitic acts of Adams. The administration party retorted by attacks upon Hamilton's political character, and the principles of government which they accused him and his party of maintaining.

The excitement was such that the younger members of either party could not be restrained to the weapons of argument, but sought each other's blood. The eldest son of Hamilton, who had just reached man's estate, was one of the first victims of this spirit. Excited by the attacks which were continually uttered against the principles of his father, he singled out and insulted the author of a public address, in which the language of the party, ascribing a desire of monarchial government and

* Col. Burr was assigned to command a Westchester militia regiment, stationed so as to protect the lower end of the County. He served with Army four years. After retiring from the Army he resided for a time in Morrisania.

the establishment of an aristocracy to the Federalists, had been adopted with the rashness of youth and the ardor of conviction. A hostile meeting at Hoboken was the consequence, in which Philip Hamilton fell. The survivor of the duel, who appears to have been unwillingly forced by his political friends into a course which his conscience reprobated, was even more to be pitied than his victim; for, in spite of the support of his partisans, and the applause they lavished on his courage, he sank to the grave before the lapse of many months, a prey to feelings of remorse. It is unnecessary to say how severe was this affliction to one of Hamilton's sensibilities. The sad death of the son was a prediction of the coming fate of the father.

In 1804, when Burr was completing a term as Vice-President, the second office in dignity within the gift of the people, he announced himself as a candidate for the office of Governor of the State of New York. By succeeding in forming a division in the ranks of the Republican-Democratic party he obtained a nomination. For his success in this election his hopes were mainly founded upon the support of the Federalists, who, he believed, would support him merely for the purpose of overwhelming their political opponents. Many Federalists fell into the snare, and there was at one time a probability that they would unite as a party in his support, and thus insure his election. Hamilton, still believing that Burr was not a safe man to be intrusted with independent power, was decidedly opposed to the support of Burr by his political friends, and endeavored to prevent it by all the means at his command. The result of Hamilton's remonstrances was to withdraw from Burr a large part of the support on which he relied, and the election terminated in the defeat of Burr, and in the success of his opponent, Gen. Lewis.

In the open and decided opposition which Hamilton had manifested to the election of Burr as Governor, the latter saw an opening for satisfying his vindictive feelings. His ambitious projects were all blasted; for he had, by permitting himself to be a "bolting candidate," lost all claim on the Republican-Democratic party, while by the Federalists he was repudiated. His pecuniary fortunes were in as dilapidated a condition as his political, and he was, in fact, in that state of desperation in which the exposure of his own life would be no obstacle to a desire of vengeance.

Hamilton, on the other hand, was a fit subject for his designs. Proud of his character as a soldier, it was almost certain that he would not refuse a hostile meeting if called for on any reasonable grounds; while it was possible that, with a solemn sense of religious obligation, he might attempt to satisfy the point of honor by the exposure of his own life, without attempting that of his adversary. Evidence exists which proves satisfactorily that, when his friends began to fear that Burr sought his life, he declared that, although he might meet him, he would not fire at him.

Early in June, 1804, Burr addressed a note to Hamilton, enclosing a statement to the effect that Hamilton and Judge Kent concurred in the opinion that Burr was "a dangerous man, and one that ought not to be trusted with the reins of government, etc." Burr called for an explanation from Hamilton. The latter saw in this demand a determination to force him into a duel, and seems to have felt the conviction that no step that he could take with honor would enable him to avoid it. Under these impressions, he called to his councils none of those devoted and prudent friends, who would have seen that the preservation of his life was the most important of all objects.

Hamilton's reply, while it exhibits the injustice of calling upon him to avow or deny so vague a charge, and interrogatories as to the justice of inferences drawn by others from what he may have said of a political opponent during a competition of fifteen years, intimates his willingness to avow or disavow any definite opinion which he may be charged with having declared. Expressing a trust that Burr would see the matter in the same light, the reply concludes by saying that, if he does not, "he can only regret the circumstances, and must abide the consequences."

The rejoinder of Burr was properly characterized by Hamilton as rude and offensive. It was evident that Burr was determined to compel Hamilton to fight him, even if he veiled his determination under flimsy pretences.

From the paper which Hamilton left explanatory of his course, it appears that, with perfect conviction of the impropriety of duelling, he did not feel himself so far elevated above other political men as to be emancipated from its absurd laws; and that he believed that, in the existing tone of popular feeling on the subject, his future usefulness to his country would be destroyed by a refusal to fight. It doubtless did not occur to him that he who had fought beside Washington in many

battles and had been rewarded for valiant services, could not be charged with personal cowardice; nor was he aware of the deep religious feeling of a large body of the people, which would have supported one who should decline a duel from conscientious motives, such as Hamilton sincerely entertained.

By Hamilton's desire, the meeting was postponed until the close of a court then sitting in New York. The interval was calmly and steadily applied by Hamilton to the promotion of the interests of his clients; nor did there appear any failure in his accustomed zeal, or any want of the undisturbed devotion of his mind to the consideration of their causes. Yet he must have known that his life was in extreme danger. Burr's adroitness in the use of a pistol was notorious, and Hamilton had good reasons for believing that Burr would not be satisfied but with his blood.

The meeting took place beneath the cliff of Wehawken, and on the first fire Hamilton fell. His own pistol was discharged while in the act of falling, and obviously without any attempt at aim. The wound was not immediately fatal, and he was removed across the Hudson to the country seat of his friend William Bayard. Here he lingered, without the least hope of recovery, for thirty hours.

Burr, branded by many as Hamilton's murderer, virtually became an outcast. He was visited forthwith by a storm of indignation, beneath which he instantly sunk. Within a few months he departed, a voluntary exile from his country, and abjectly claimed to be allowed to avow allegiance to the power against whose rule he had successfully fought. On his return he was shunned even by those who had been most captivated by his popular arts; and although he resumed a place at the New York city bar, a conscious feeling of disgrace bowed down his talent and placed him in a low rank where he had before reigned almost supreme.

A writer of that early day, in speaking of the tragic death of Hamilton, said: "When the angry feelings excited by the long struggle between the Federal and the Republican parties shall have cooled, and all actors in these stirring scenes shall have retired from the stage, it requires little prescience to predict that Hamilton will assume, by general consent, a first place among American statesmen, and will be held in the estimate of his patriotic services as second to Washington alone."

PRESIDENTIAL NOMINATING CONVENTIONS.

The men who framed the Constitution made no provision for nominating candidates, and, in fact, had never heard of nominations. It was their intention that the electors should choose the President, uninfluenced by popular passion or prejudice. There were no parties or party organizations, and everything was left to the wisdom of the electors, who were to be chosen by the States in whatever manner the State pleased.

Before Washington's administration had ended two parties had formed, and nominating machinery was soon provided in a Congressional caucus, by which the Congressman of each party selected the candidate and the electors ratified this selection. Thus the legislative department virtually chose the executive in spite of all constitutional precautions to keep the departments independent.

The Congressional caucus lasted until 1824, when the Jackson men bolted the nomination of Crawford. It was in that year that Andrew Jackson was pitted against John Quincy Adams for the Presidential nomination; Jackson received a plurality, but not a majority of the electoral vote, and the matter went to the House of Representatives, where Adams received a majority of votes of Representatives, voting as States. Four years later Tennessee's Legislature nominated Andrew Jackson without reference to the Congressional caucus. His opponent, John Quincy Adams was renominated in the old way, but that was the end of the Presidential nominations by Congressional caucus. In this later year Jackson was elected.

The overthrow of "King Caucus" was popularly regarded as the greatest political reform since the establishment of the Republic.

Originally the electoral vote was frequently divided, the electors really exercising the freedom of choice which the Constitution gives them. Until 1804 the man who got the second highest number of votes was elected Vice-President. Since then the electors vote separately for President and Vice-President. Under the old system in 1796 fourteen men received votes for President. Three of the fourteen, Aaron Burr, George Clinton and John Jay (of Westchester County) were from New York.

Before 1800 it was the general custom for the State Legislatures to choose the electors, and it was not until 1828 that the Presidential electors were chosen in nearly all the States by

popular vote. As late as 1876 the Legislature of the State of Colorado chose the three Presidential electors to represent that State. There is nothing in the Constitution to prevent any State Legislature naming its own electors without appeal to the people, provided such a method of election is prescribed by the State laws.

NATIONAL CONVENTIONS.

Under the United States Constitution as originally practiced there were no National Conventions. The Constitution provided for a series of State Conventions which should elect a President by a majority vote, and on their failure to give any candidate a majority the House of Representatives then balloted on the five highest, afterward reduced by Constitutional amendment to the three highest.

The theory of the Constitution enacted in Section 3 of Article 2, and amplified in the twelfth amendment, was that the people of each State should choose as many of their most distinguished citizens as electors as was "equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress," and that these electors shall consult together and if possible agree on who should be President and who should be Vice-President of the United States.

Forty years elapsed between the adoption of the Constitution and the time of holding the first National Convention.

While the Constitution contemplated the creation of a Presidential convention in each State, it never provided for two conventions in each state or for all the State conventions to meet as one in a national convention. The mode of procedure now observed by political parties in the nomination of Presidential candidates is a condition, a scheme of government never contemplated either by the drafters of the Constitution or by the political generation succeeding them. Under the present system, instead of the people of each State selecting "their most distinguished citizens as electors," the office of Presidential elector has become a dummy political function, with its duties as perfunctory as those of a machine. No instance is now known where a Presidential elector uses the independent judgment which the Constitution confers upon him, where he ever refused to vote for the candidates nominated by the National Convention of his party; nominations in which probably the electors had no voice, not being present at the nominating convention.

The Constitutional plan provides that no one except electors, or Representatives in Congress in case electors cannot agree, can vote directly for any candidate for President, nominated by either of the political parties.

It has been frequently suggested that the Constitution should be so amended as to permit a direct vote of the people in choosing the President and Vice-President of the United States.

The early National Conventions were hardly more than conferences, the first having been held in 1831, by supporters of Henry Clay for President. There are many men living who can remember when the introduction of a National Convention into the Nation's political life was considered a great innovation. As years grew the National convention became an established political institution, with no laws except its own laws, with no power except voluntary consent, yet as effective in enforcing decrees as the Government of the United States or the government of any other nation.

The National Convention is the most distinctly original American contribution to the art of government. It is a product of evolution and it has no legal status.

National Conventions, of all parties, held every four years, are called by a National committee of the party organization, which meets, names the time and place for holding the convention, fixes the number and qualification of delegates and issues the call for the convention.

The unit in the Democratic convention is the State; in the Republican convention, the Congressional district. Hence, a Democratic State Convention can instruct all the delegates from that State to vote for a particular candidate. A Republican State Convention can instruct only the number of delegates elected by that convention as delegates-at-large, and each Congressional district can instruct its own delegates as it pleases. This decision was promulgated with considerable force in the Republican National Convention in 1880, when an attempt was made (against the protest of W. H. Robertson, of Westchester County) by State leaders to ignore the wishes of Congressional districts in New York State and vote the whole State as a unit for the third time nomination of General Grant. The individual vote of every delegate in the Republican National Convention is counted. Democratic National Conventions recognize the unit rule by which, when so authorized by a State convention, a majority of the delegates from that State can vote the entire

delegation as a unit; thus forty-six delegates from New York State can cast New York's ninety votes. In a Democratic National Convention the votes of two-thirds of the delegates are necessary to nominate a candidate. In a Republican National Convention a majority of delegates can nominate.

The two-thirds rule was adopted by the first Democratic National Convention held in 1832, in order to give a semblance of unanimity in the nomination of Martin Van Buren, of this State, for Vice-President. The supporters of John K. Polk revived it in 1844 in order to defeat Van Buren's renomination for President. The rule has been adhered to in every Democratic National Convention since that time. Its purpose is often defeated, however, by the unit rule, which makes it actually possible for a little more than one-third of the delegates to nominate the candidates through the simple process of allowing a bare majority of one in each State delegation to vote the majority.

The Republican National Convention, held in the year 1912, will be composed of 1,072 delegates, from all States and Territories. In the Democratic National Convention there will be 1,094 delegates, representing all sections of the country. The difference in number of delegates attending conventions is due to territorial representation. In the Republican Convention Alaska, New Mexico and Arizona are allowed six delegates, while others, including the Philippines, have but two each. The Democratic Convention allows six delegates to all territories, Alaska, Arizona, District of Columbia, Hawaii, New Mexico and Porto Rico. In other respects the basis of representation is the same in both conventions, every State having two delegates to each electoral vote.

Not only is heard the desire for a direct vote by which to elect the President and Vice-President of the United States, but a stronger demand comes for the election of United States Senators by direct vote of the people, instead of by the State Legislatures, as is now the law.

In 1912 Congress finally passed necessary resolutions providing for the submission to the States of an amendment to the Constitution that will take from special interests and the few the selection of United States Senators, and transfer the power to the people for direct action. In most cases this will call for constitutional changes in the several States.

Advocates of the movement, who are confident of getting these additional States, say that the United States Senate cannot be taken out of the hands of machine politicians or special interests except by the primary route. All experiences, they claim, show that the best government is attainable only through popular action.

When Congress calls a convention to propose an amendment, that amendment does not become a part of the Constitution until three-fourths of the States have ratified it.

The political State nominating conventions are conducted similar to the political National Conventions; mode of procedure, rules governing, etc. The State Committee of the party fixes the time and place for holding the convention.

Candidates for all State offices, not appointive, are placed in nomination by these State Conventions.

Elections for State officers are held in even years; terms being for two years each. County and municipal officers are elected throughout the State in odd years.

In early years the officers of this State were appointed, not elected, and no nominating convention was deemed necessary. The mode of selecting public officers in this State has varied. Under the Constitution of 1777 the State Assembly selected a Council of Appointment from the Senators, and the Governor had " a casting voice but no other vote " in this council, which ruled the State. At the time the Constitution of 1821 was adopted, 8,287 military and 6,663 civil officers held their commissions from this Council. For many years the politics and government of New York State were largely controlled by three great families, the Clintons, the Schuylers and Livingstons.

The Constitution of 1821 abolished the Council of Appointment and provided that the Legislature should elect the chief State department officers. It was not until the Constitution of 1846 was adopted that the election of these officers was vested in the people under manhood suffrage, and it was under this Constitution that the political party nominating convention became a firmly established institution. Each change had for its object the extension of the principles of democracy to give the people at large more and more power over the selection of their servants.

The introduction of the nominating convention into our political system increased to a vast degree the power, it is said, of leaders who combine to constitute what is termed the

" political organization," directing the management and shaping the policy of their political party, and, incidentally, exercising considerable influence in the choice of candidates.

That there is considerable objection to the prevailing mode of selecting political candidates, is manifest by the strong influences now being used to effect a change. Governor Hughes and those in sympathy with him, maintain that the only way to get an honest expression from the people as to their choice of men to fill the various public offices, State or local, is by a " direct primary vote." Advocates for the primary vote are against the convention, influenced by party leaders, making nominations. It is believed by many people that this wide-spreading movement to democratize the nomination of candidates for public office is inevitable.

Does the new movement not look like going back to first principles, to the days of town meetings, when the people themselves did the choosing of public officers, and it was a " government by the people?"

In the Presidential election of 1908 the following political parties took part: The Republican, the Democratic, the Prohibition, the People's, the Socialist, the Independent, the Socialist Labor.

" POLITICAL BOSSES."

The term " Political Boss " is not a new one in this State. This gentleman may appear in different forms, but nevertheless he appears prominently all through the State's political history.

To-day we hear of corporate influences controlling " political bosses," of the bosses controlling the political party " organization," and the organization controlling the little politicians, who are, like those " higher up," in it, in many instances, for personal profit, regardless of the people's interests.

Back in the early days of the Nation the corporate interests were not as formidable as now. The " trusts " were then not as trustful as now. Steel, sugar, lumber and similar products, as trusts, had not their growth; they were not big and strong enough to, by aid of " spot cash," elect United States Senators, and even elect Presidents.

When politics began to take on shape, immediately following the Revolutionary period, it was the " family influence " that the aspiring politician had to look up. New York was too

directly descended from the patroons and too intimately connected with England's " family methods " not to illustrate the workings of family in politics.

As early as 1666 New York city had its " political boss," in one Thomas Delawall, who was at that time Mayor of the city, member of the Governor's Council and Collector of Customs. He was not "a poor pothouse politician," but a man of wealth and standing in the community, the owner of large parcels of land in the then distant new Harlem and in the lower section of Westchester County. He was Mayor again in 1671 and in 1678; in fact he could be Mayor as often as he desired. In 1675 the " Boss " yielded to " family influence " and had his son-in-law, William Dervall, chosen Mayor.

The first United States Senator from this State was Gen. Philip Schuyler, a brave soldier and able man. He was father-in-law of Alexander Hamilton, recognized leader (or " Boss ") of the Federal party in this State. Though the General was a proper person for the office, " family influence " may have had something to do with bringing about his election.

President John Adams, who, it is asserted, at times, early in the game, assumed to be a political boss, was quite severely criticized for giving " the family " too much consideration when making political appointments.

Governor George Clinton was a clever politician, one of the best of his time. In the years he was Governor, 1801 to 1804, and subsequently, he was State leader of his party, the Republican-Democratic.

Chancellor Livingston was leader of the opposition party, and between them they owned the State, politically speaking, at the opening of the nineteenth century.

This condition of affairs continued most amicably for a considerable period. Even in those times opposing political bosses made " side deals " to accomplish an object both desired, as Aaron Burr, who desired to be " a political boss," on his own account, found out.

To illustrate " the family influence " which controlled, reference may be made to the fact that Edward Livingston, a son, was Mayor of New York, and laid the corner-stone of the present City Hall in 1803; Dr. Tillotson, a brother-in-law of the Chancellor, was Secretary of State; Morgan Lewis, another brother-in-law, was Chief Justice of the State Supreme Court; John Armstrong, another brother-in-law, was made a United

States Senator, which position he resigned to take another office in New York city; Brockholst Livingston and Smith Thompson, who married a Livingston, were Judges in the Supreme Court. The Clintons, representing the opposition party, as a family were considerately taken care of. De Witt Clinton, a nephew, was made United States Senator, and resigned in 1803 to become Mayor of New York city by appointment of his uncle; he was an able man, and it was through his efforts, assisted by Gen. Schuyler, that the great Erie Canal became a fact; also he did much to advance the progress of the city; twice afterward he was made Mayor, but his terms were not consecutive; he was Governor of the State, elected in 1817, and again in 1824.

The Clinton and Livingston family influence did, it is charged, combine to combat the aspirations of Aaron Burr. Burr fought the dominant families with all his might. The "family influence" started a newspaper in New York city, and Burr did likewise. The "influence" succeeded in getting Burr and his friend Col Swartwout off the directorate of the Manhattan Bank. It looked like blood, so earnest were the combatants. De Witt Clinton and Col. Swartwout went up into Morrisania, Westchester County, and indulged in the favorite pastime of the period—a duel, each firing five bullets; Swartwout was shot twice, Clinton fortunately escaped. This duel later involved Swartwout's brother and Recorder Riker in a duel; Riker was shot and ever after was lame. Later Gen. Hamilton's eldest son was killed in a duel defending the political principles of his father and himself. The culmination of this old-fashioned electioneering came shortly in the duel in which Burr unjustly entangled Gen. Hamilton, resulting in the death of the latter and the political annihilation of Burr.

Dating from 1809 "the family influence" began to loose its hold on politics, and party "leaders," regardless of family connections, began to assert themselves.

In 1819 the old Federalist party, the party of Washington and Hamilton, was no longer anything but a name. As a party organization of National scope and influence it had all but ceased to exist. The Republican (later Democratic) party had no organized opposition; for that reason it had split into factions. One of these factions took its name from De Witt Clinton, its leader, and was known as the "Clintonians;" the other faction, known as the "Bucktails," had for its leader a

native of Westchester County, Daniel D. Tompkins, late Governor, who had just been elected Vice-President of the United States; Martin Van Buren, then Attorney-General of the State, and later President of the United States, was an aid to Tompkins among the "Bucktails."

From then on we have had "political leaders," who are generally termed "Bosses."

PRESIDENTIAL VOTE IN COUNTY.

The vote given for the electoral ticket of the political parties, commencing the year electors were first chosen by popular vote, has been as follows in Westchester County:

Year.	Candidate for President.	Political Party.	Votes Cast.
1828	Andrew Jackson,	Democrat,	3,788
	John Quincy Adams,	Whig,	3,153
1832	Andrew Jackson,	Democrat,	3,133
	Henry Clay,	Whig,	2,293
1836	Martin Van Buren,	Democrat,	3,009
	William H. Harrison,	Whig,	1,749
1840	Martin Van Buren,	Democrat,	4,354
	William H. Harrison,	Whig,	4,083
1844	James K. Polk,	Democrat,	4,412
	Henry Clay,	Whig,	4,258
1848	Lewis Cass,	Democrat,	2,146
	Zachary Taylor,	Whig,	4,312
	Martin Van Buren,	Free Soil,	1,312
1852	Franklin Pierce,	Democrat,	5,283
	Winfield Scott,	Whig,	4,033
1856	James Buchanan,	Democrat,	4,600
	Millard Fillmore,	Whig,	4,450
	John C. Fremont,	Republican,	3,641
1860	Stephen A. Douglas, John Bell and John C. Breckenridge,	Union	8,100
	Abraham Lincoln,	Republican,	6,771
1864	George B. McClellan,	Democrat,	9,353
	Abraham Lincoln,	Republican,	7,593
1868	Horatio Seymour,	Democrat,	11,667
	Ulysses S. Grant,	Republican,	9,641
1872	Horace Greeley,	Democrat and Liberal Republican,	11,112

Year.	Candidate for President.	Political Party.	Votes Cast.
1872	Ulysses S. Grant,	Republican,	10,223
1876	Samuel J. Tilden,	Democrat,	12,050
	Rutherford B. Hayes,	Republican,	9,547
1880	Winfield S. Hancock,	Democrat,	11,858
	James A. Garfield,	Republican,	11,367
1884	Grover Cleveland,	Democrat,	12,524
	James G. Blaine,	Republican,	11,286
1888	Grover Cleveland,	Democrat,	14,948
	Benjamin Harrison,	Republican,	13,456
1892	Grover Cleveland,	Democrat,	16,091
	Benjamin Harrison,	Republican,	13,456
1896	William McKinley,	Republican,	19,357
	William J. Bryan,	Democrat,	11,770
	John M. Palmer,	Gold Democrat,	650
1900	William J. McKinley,	Republican,	21,250
	William J. Bryan,	Democrat,	16,436
	John G. Woolley,	Prohibition,	418
	Eugene V. Debs,	Social Democrat,	384
	Joseph F. Maloney,	Social Labor,	229
1904	Theodore Roosevelt,	Republican,	25,101
	Alton B. Parker,	Democrat,	18,093
	Silas C. Swallow,	Prohibition,	309
	Eugene V. Debs,	Social Democrat,	808
	Charles H. Corrigan,	Social Labor,	306
	Thomas E. Watson,	People's Party,	263
1908	William H. Taft,	Republican,	29,438
	William J. Bryan,	Democrat,	18,346
	Thomas L. Hisgen,	Independent,	1,237
	Eugene V. Debs,	Social Democrat,	923
	Eugene W. Chafin,	Prohibition,	376
	August Gillhaus,	Social Labor,	102

PRESIDENTIAL ELECTION OF 1884.

One of the most exciting periods in the political history of Westchester County was that connected with the election of 1884, when Grover Cleveland, Democrat, ran against James G. Blaine, Republican, for the Presidency.

As the Republican nominee was an intimate as well as a political friend of Collector of the Port William H. Robertson, who was also the Republican leader of this County, and as said

nominee had been mainly instrumental, while Secretary of State in President Garfield's Cabinet, in securing Robertson's appointment as Collector of the Port, the latter was specially anxious that Mr. Blaine be elected and particularly that he carry Westchester County by a good majority. He strained every effort, by personal appeal, even among old Democratic friends, to aid him in doing a favor to one who had done him great favors in the past, and many Democrats were willing to oblige.

Mr. Cleveland had obtained certain prestige through being elected, two years previously, as Governor of this State by a majority of nearly 200,000, over Folger the Republican candidate, and as Governor he had earned the confidence of many Republicans with independent tendencies.

In 1879 Cornell, the Republican candidate for Governor, was elected by a considerable majority.

In 1880 the Republicans carried the State for Garfield. In 1882 Republicans in large numbers bolted their ticket owing to a claim that their party's nomination for Governor had been given in accordance with the wishes of the administration in Washington, and Republican electors in this State were not permitted to make their own selection of a Gubernatorial candidate; as a consequence the Democratic candidate for Governor, Mr. Cleveland, rolled up the unprecedented majority of nearly 200,000.

When Mr. Blaine became the Republican nominee in 1884 the antagonistic feeling that had existed between the "Stalwarts" and the "Half Breeds" factions within the Republican party had not fully died out. Mr. Blaine was remembered as the principal foe of "Stalwarts," as the political advisor of President Garfield, and as the one who engineered the defeat of other Presidential aspirants at the Republican National Convention and brought about Garfield's nomination, when he found that he himself could not get the nomination; that he had influenced the President to name William H. Robertson for Collector of the Port—these little remembrances, together with that fearful mistake made by the prominent clergyman who, in an attempt to aid Mr. Blaine's election, referred to "the three Rs," as standing for "Rum, Romanism and Rebellion," did not materially help Mr. Blaine's chances in this State.

No person knew better than Collector Robertson the general political situation; he and a few others were being depended

upon to swing the State in the right direction. Robertson worked as he never had worked before. He first was confident that his fences in this County were up and strong, and then devoted himself to "saving the State."

The Democrats in the County had a fair organization in those days, and same found plenty of work to do, and every effort was made to accomplish results.

The political fight in the County that followed that year certainly proved spirited.

Election night news came from Albany to the effect that the result was in doubt, that the vote was so close that no idea of who had carried the State could be given; a single vote might decide the result. Later came the information, "an official statement of the vote cast in Westchester County is needed; on that depends the result."

As may be imagined, excitement in the County ran high; the tension of the public political pulse was away above the normal. The politicians of both parties got busy. The morning after the election the Democrats sent representatives into every election district of the twenty-two towns of the County; evidently they remembered the Tilden-Hayes election, and feared that figures might get juggled between the election district and the County-seat. Two or more towns had not made complete returns the night before, and no explanations followed. It had been said that even one vote might decide, therefore both parties were determined to chase the elusive vote and permit none to get away.

It was a time when Republicans were more than ever suspicious of Democrats, and *vice versa*.

It proved true, the report that the result in the State depended upon the official returns from Westchester County. The eyes of the Nation were turned upon us, and the County was expected to do its whole duty, honestly and fearlessly.

On the day set when the Supervisors would convene as a Board of Canvassers, the County-seat entertained many hundred guests brought there by the intense interest manifested in the result on which rested the election of a President of the United States, for it was admitted that as the County decided, the State would go, and as the carrying of the State of New York was necessary to the election of either candidate, the whole summed up amounted to this—the electors of the County of Westchester would elect the President.

Distinguished men from all parts of the Union were present to witness the canvassing of the votes. Prominent lawyers represented the National Committees of both political parties; every step was fought, each contesting for the advantage.

No man fought better for a friend than did William H. Robertson for his friend James G. Blaine, but the fates were against him. Westchester County, by the votes of its electors, had decided in favor of Mr. Cleveland, by a majority of 1,238; the vote in detail being, Cleveland, 12,524, Blaine, 11,286. As Cleveland carried the State by about 1,400, including Westchester County vote, it can readily be seen how important Westchester's majority was.

PRESIDENTIAL ELECTORS.

The Congressional District, of which Westchester County was and is a part, or a whole, has been represented in the Electoral College, from time to time, by the following named:

Stephen Ward, Eastchester	1792
Lewis Morris, 3d, Westchester	1796
Pierre Van Cortlandt, Jr., Cortlandt	1800
John Herring, Rockland County	1804
Ebenezer White, Yorktown	1808
Philip Van Cortlandt, Cortlandt	1812
Peter S. Van Orden, Rockland County	1816
Jacob Odell, Tarrytown	1820, 1828
James Drake, Peekskill	1824
Abraham Miller, Westchester	1832
Jeremiah Anderson, Harrison	1836
Pierre Van Cortlandt, Cortlandt	1840
Daniel Johnson, Rockland County	1844
George Benson, Rockland County	1848
Edward Suffern, Rockland County	1852
Jared V. Peck, Rye	1856
William H. Robertson, Bedford	1860
Alexander Davidson, Rockland County	1864
George B. Pentz, Yonkers	1868
David D. Smith, Rockland County	1872
Jordan L. Mott, Morrisania	1876
John B. Trevor, Yonkers	1880
John Hunter, Westchester	1884
J. Thomas Stearns, Morrisania	1888

Martin J. Keogh, New Rochelle	1892
William L. Ward, Port Chester	1896
Frank V. Millard, Tarrytown	1900
James Wood, Mount Kisco	1904
Franklin Q. Brown, Dobbs Ferry	1908

VOTE FOR GOVERNOR AND LIEUTENANT-GOVERNOR.

The vote cast in the County for the respective candidates for Governor, in various years since 1896, was as follows:

1898	Theodore Roosevelt,	Republican,	16,653
	Augustus Van Wyck,	Democrat,	15,012
	Benjamin Hanford,	Socialist,	637
	John Kline,	Prohibition,	254
	Theodore Bacon,	Social Labor,	54
1900	Benjamin B. Odell, Jr.,	Republican,	20,806
	John B. Stanchfield,	Democrat,	16,890
	William T. Wardell,	Prohibition,	393
	Charles H. Corregan,	Social Democrat,	446
	Benjamin Hanford,	Socialist,	258
1902	Benjamin B. Odell, Jr.,	Republican,	18,459
	Bird S. Coler,	Democrat,	16,754
1904	Frank W. Higgins,	Republican,	23,846
	D. Cady Herrick,	Democrat,	19,340
	Thomas Pendergast,	Social Democrat,	815
	John McKee,	Prohibition,	303
	Daniel De Lon,	Social Labor,	311
	Alfred J. Boulton,	People's Party,	192
1906	Charles E. Hughes,	Republican,	24,233
	William R. Hearst,	Democrat,	18,748
	John R. Chase,	Social Democrat,	532
	Henry M. Randall,	Prohibition,	216
	Thomas H. Jackson,	Social Labor,	151
1908	Charles E. Hughes,	Republican,	27,894
	Lewis S. Chandler,	Democrat,	20,027
	Clarence J. Shearn,	Ind. League,	1,361
	Joshua Wanhope,	Social Democrat,	843
	George E. Stockwell,	Prohibition,	304
	Leander A. Armstrong,	Social Labor,	90
1910	Henry L. Stimson,	Republican,	22,331
	John A. Dix,	Democrat,	21,981

1910	John J. Hopper,	Ind. League,	1,247
	Chas. E. Russell,	Social Democrat,	950
	T. Alex. MacNicholl,	Prohibition,	283
	Frank E. Passamio,	Soc. League,	113

The vote cast for Lieutenant-Governor in the following named years was distributed among the several candidates as follows:

1898	Timothy L. Woodruff,	Republican,	16,162
	Elliott Danforth,	Democrat,	15,012
	Leander A. Armstrong,	Social Democrat,	660
	John A. Sayles,	Prohibition,	300
	Thomas M. Osborn,	Social Labor,	115
1900	Timothy L. Woodruff,	Republican,	20,888
	William F. Mackey,	Democrat,	16,830
	Leander A. Armstrong,	Social Democrat,	449
	Albert J. Rumsey,	Prohibition,	388
	William Butscher,	Social Labor,	245
1902	Frank W. Higgins,	Republican,	18,401
	Charles N. Bulger,	Democrat,	16,665
1904	Matthew Linn Bruce,	Republican,	24,072
	Francis B. Harrison,	Democrat,	19,340
	Charles R. Bach,	Social Democrat,	812
	Alden W. Young,	Prohibition,	303
	Boris Remstein,	Social Labor,	306
	Charles Spaulding,	People's Party,	196
1906	Matthew Linn Bruce,	Republican,	23,539
	Lewis S. Chandler,	Democrat,	19,184
	Gustave A. Strebel,	Social Democrat,	554
	Freeman H. Bettys,	Prohibition,	228
	Frank E. Passamio,	Social Labor,	160
1908	Horace White,	Republican,	28,216
	John A. Dix,	Democrat,	19,597
	Daniel W. Finnimore,	Ind. League,	1,272
	Gustave A. Strebel,	Social Democrat,	889
	Marshall A. Hudson,	Prohibition,	377
	Frank E. Passamio,	Social Labor,	98
1910	Edward Schoeneck,	Republican,	23,028
	Thomas P. Conway,	Democrat,	20,728
	William R. Hearst,	Ind. League,	1,541
	Gustave A. Strebel,	Social Democrat,	958
	Calvin McCarthy,	Prohibition,	319
	James T. Hunter,	Social Labor,	125

CASTING THE ELECTORAL VOTE.

The electoral vote of New York State has not always gone to one political party, as the following will show:

In 1868, when Seymour, Democrat, ran against Grant, Republican, the Democrat secured the 33 votes of the State.

In 1872, when Grant, Republican, opposed Greeley,* the Republican took the 35 votes.

In 1876, Tilden, Democrat, carried the State over Hayes, Republican, and took the 35 votes.

In 1880, Garfield, Republican, won over Hancock, Democrat, and secured the State's 35 votes.

In 1884, Cleveland, Democrat, outran Blaine, Republican, and was given the 36 votes, and, as a consequence, the election.

In 1888, Harrison, Republican, took the 36 votes from Cleveland, Democrat, and the election.

In 1892, Cleveland, Democrat, recovered lost ground, won over Harrison, Republican, and received New York's 36 votes, that secured him the election.

In 1896, McKinley, Republican, won easily over Bryan, Democrat, and took the State's prize of 36 votes.

In 1900, McKinley, Republican, repeated his victory over Bryan, Democrat, and secured the 36 votes.

In 1904, Roosevelt, Republican, won the 39 votes of the State, from Parker, Democrat.

In 1908, Bryan, Democrat, had his old luck "in the enemy's country," and Taft, Republican, went to the Electoral College with New York's 39 votes.

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* Horace Greeley, the Democratic and Liberal Republican candidate for President, died before the electoral vote was cast, and the Greeley electors of five States voted for Thomas A. Hendricks of Indiana.

THE OLD, OLD WAY.

Notwithstanding what has been said relative to a change in the mode of conducting political party national conventions, it is likely that the old way will prevail for some time to come.

It will be pretty well known in advance who the fortunate nominee is to be, though many candidates will be presented before the convention.

It becomes the nominee-to-be to appear modest, and as not seeking the nomination; a case where the nomination seeks the man, after having received detailed information as to where he can be found.

In the convention it will be the same old story. After Alabama has yielded to the silver-tongued orator from Indiana who presents the name of a favorite son, and Colorado has yielded to the silver-tongued orator from Pennsylvania, who names a favorite son of that State, then the real silver-tongued orator of the convention will accompany Freedom from her mountain height, while she unfurls her standard to the air and tears the azure robe of night and sets the stars of glory there and in the name of the goddess of that particular political party, in the name of triumphant Americanism, present the name of the man who is to get the nomination, while the convention goes wild, the band plays "A Hot Time in the Old Town To-night," and the hysterical delegates grab the State standards and march around the convention hall, and the stampede has begun.

United States military posts in the County are Fort Slocum, at New Rochelle, and Fort Schuyler, opposite Westchester. Both on Long Island Sound.

Town Boards in this County, in 1911, agreed to pay Inspectors of Election from $12 to $15 per day for services as such inspectors during the four days of registration and elections, for general election of that year. The new election law requiring longer hours of service. The previous allowance was from $8 to $10 per day.

This County had County Commissioners of Excise from 1857 to 1870. See page 117, Vol 1.

Chauncey M. Depew

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ELECTING A UNITED STATES SENATOR.

When a mere lad, just entering his teens, the author of this book was privileged to attend, in 1863, the most exciting sessions ever held in the history of the Assembly of the State Legislature.

The Legislature of that year was to elect a United States Senator in place of Preston King, Republican. The Republicans had twelve majority in the Senate, while the Assembly was composed of 64 Republicans and 64 Democrats. As can be readily seen, this situation deadlocked the Assembly and jeopardized the Republican chances of electing King's successor in joint session, as under the law of the period the Legislature could not convene in joint session until some candidate had a majority in each branch. On the face of it either a Republican or a Democrat must betray his party to break the deadlock.

The Republican Assemblymen in caucus agreed to support for Speaker "Westchester's Favorite Son," Hon. Chauncey M. Depew, of Peekskill, who had the year previously begun his public career as an Assemblyman representing the Third Assembly District of this county. The choice of the Democratic caucus was Gilbert Dean, of Kings County. Through many ballots the excitement ran high. Every man had to be in his place and voting. On one occasion, preceding a ballot, Thomas C. Fields, of New York (uncle of the late Andrew C. Fields, of Dobbs Ferry, this county), talked five hours continuously to gain time necessary to permit Democratic Assemblymen to get across the river on the ice from East Albany, as the river had suddenly frozen and prevented the ferry running.

When it came to a point where it was realized that neither of the party caucus nominees for Speaker could be elected, each receiving on the numerous ballots 64 votes, Theophilus C. Callicott, of Brooklyn, elected as a Democrat, with political ambitions, proposed to candidate Depew that if the Republicans would elect him Speaker he in return would vote for the Republican candidate for United States Senator and break the dead-

lock. When Callicott's Democratic colleagues learned of his apostacy naturally the excitement increased; eight Democrats offered to vote for the Republican nominee, Mr. Depew, for Speaker. Mr. Depew submitted the two proposals to the Republican caucus, which decided in favor of Callicott's offer, as it not only secured his vote for the Republican candidate for Senator, but also gave considerable patronage to the Republicans, and was likely to bring the party even greater advantage. On the 19th day of balloting Callicott was elected by his own vote.

All this was but the preliminary to the contest among Republicans over the Senatorship which followed. William H. Seward, Secretary of State in President Lincoln's Cabinet, and Thurlow Weed, the recognized Republican State leader, favored the election of Edward D. Morgan, a rich merchant of New York city, who was chairman of the Republican National Committee. Horace Greeley, a former partner in the political firm of "Seward, Weed and Greeley," favored the re-election of King, or Daniel S. Dickinson. The opposition, who distrusted Morgan, however, were not united, and the first formal ballot in the Republican caucus gave Morgan 25 votes, King 16, Dickinson 15, Charles B. Sedgwick, a Syracuse lawyer, 11, David Dudley Field 7, Henry J. Raymond, editor of the New York *Times,* 6, and Ward Hunt, later a Justice of the United States Supreme Court, 4. The number necessary to a choice was 44. On the second ballot Morgan received 50 votes, Dickinson 13, King 11, Raymond 9, and Field 2. Morgan became the caucus nominee. On joint ballot Morgan received 80 votes, to 70 votes cast for Erastus Corning, of Albany, the Democratic nominee. Ugly rumors persisted for years that Morgan's election could not have been accomplished without the use of Morgan's money.

The Republicans, in 1868, elected a majority of the State Legislature, and at once a fierce contest ensued over the choice of a successor to Senator Morgan whose term was to expire on March 4, 1869. Several political acts of Morgan's while Senator had made for him enemies in the party. He had the support of Roscoe Conkling, his Senatorial colleague, but certain Republicans feared Conkling and did not favor his domination in State Republican politics. Reuben E. Fenton, who was just relinquishing the Governorship to John T. Hoffman, Democrat, was, in 1869, at the height of his influence and power. He was

the recognized head of the Republican "State machine," as distinguished from "the Federal crowd," to which Conkling and Morgan were credited. In this year James W. Husted, of Peekskill, was serving his first year in the Assembly, and was numbered among the adherents of Governor Fenton. A Democrat was in the Senate from this district.

Fenton's friends succeeded in controlling the organization of the Legislature, electing Truman G. Younglove Speaker. The Senatorial contest proved to be as promised, very exciting. The Morgan money was reported to be plentiful to aid Morgan's re-election. The New York *Times* stated editorially: "It is conceded on all hands that money will decide the contest." Like Morgan, Fenton was a wealthy man. Another factor, however, eventually entered more largely into the situation; Speaker Younglove, at Fenton's suggestion, basing his action on the belief that good committee appointments were of more potency than other arguments, held back the announcement of committees until he had exacted support for his candidate, Fenton. On January 16, 1869, the Republican caucus was held to decide on a candidate to support for United States Senator; it was a straight-cut fight between Fenton and Morgan, "the State machine" and "the Federal crowd." Fenton won on first ballot, receiving 52 votes, to 40 votes cast for Morgan.

DEPEW'S FIRST APPEARANCE AS A SENATORIAL CANDIDATE.

It was in the winter of 1881 when "our own Chauncey" M. Depew first loomed up quite prominently as a candidate for United States Senator. The fight over the Senatorship in the State Legislature that winter is, mildly speaking, referred to as "New York's historic Senatorship contest." Thomas C. Platt had been elected Senator in January of that year. Platt had, in the year 1879, assured State Senator W. H. Robertson, of Westchester County, that he (Robertson) was his choice for Governor, while he was secretly favoring the nomination of Alonzo B. Cornell. Later, Mr. Conkling and he succeeded in having Cornell nominated for Governor. In return for this, Gov. Cornell advocated the election of Platt as United States Senator. Roscoe Conkling, then a United States Senator from this State, and the recognized Republican State leader, wanted State Senator Richard Crowley, of Niagara, to be elected as his colleague, but finally gave his support to Platt.

Independent Republicans in the Legislature, to a considerable number, decided to support Senator Chauncey M. Depew, of Peekskill. Enough of the Independents eventually voted for Platt to give him the caucus nomination by one vote.

After Platt had taken his seat as Conkling's colleague came the break with the Garfield administration, over the appointment of William H. Robertson as Collector of the Port of New York. The resignations in May of both Conkling and Platt from the Senate followed as a rebuke to President Garfield. This was grand-stand play. Neither Conkling nor Platt had any serious doubt that the Legislature which had elected Platt in January would send them both back to Washington in May, as a vindication of their stand against Garfield. The Stalwart faction, to which they belonged, had a clear majority in the Republican caucus, and the two Senators took it for granted that its members would stand by them loyally. But they made the mistake common to many politicians who fail to take the people into their confidence; neither one counted on the change in sentiment which had taken place out of, if not in, the Legislature in the course of a few months. The attitude of opposition maintained by Conkling and Platt had stirred the State to its depths. Legislators began to hear from their constituents about it. The result was that when a call was sent out for a Republican caucus, many of the "Half-breeds," supporters of the Garfield Administration, and even some of the "Stalwarts," refused to heed it. Balloting began on May 31, without any settlement having been reached by the Republicans. The first ballot resulted as follows: To succeed Platt (long term), Platt, 29; Depew, 21; Gov. A. B. Cornell, 12; Elbridge G. Lapham, 8; Warner Miller, 5; Richard Crowley, 3. Francis Kernan, of Utica, received 54, the full Democratic vote. To succeed Conkling (short term), Conkling, 39; William A. Wheeler, 19; Cornell, 9; Crowley, 5; Miller, 1. John C. Jacobs, of Brooklyn, received 54, the Democratic votes.

The first ballot marked the highest point in the balloting reached by Conkling and Platt in the struggle which proceeded through 56 ballots, lasting from May 31 to July 22. On July 1, Platt, to the surprise of his friends, withdrew from the strife. The assassination of President Garfield on the following day had a marked effect on the balloting, and a few days later, at a Republican conference, in the interest of harmony, Mr. Depew, who had led the balloting almost since the start, for the long

term, withdrew his name. A caucus was then held, in which Senator William H. Robertson, of Westchester County, proved an important factor, and at this caucus Warner Miller was nominated for the long term. Gov. Cornell was slated for the short term, but he refused to accept, as he would not oppose Conkling's re-election, and the nomination went to Elbridge G. Lapham.

Conkling never again held office, and his defeat for re-election as Senator terminated his political leadership, and, it is said, he never ceased to deplore his mistake in resigning the Senatorship. Platt later admitted that he suggested their resigning.

Platt returned to active politics, assumed State leadership, was again a United States Senator, and, in 1898, materially aided "Westchester's favorite son," Chauncey M. Depew to be elected as his associate in the Senate.

In 1911 the Legislature of the State of New York elected the forty-first Senator to represent this State in the United States Senate since the ratification of the Constitution.

The term of office of Senator Chauncey M. Depew terminated on March 4, 1911, after serving two terms of six years each. It was hoped by his friends that he would be permitted to serve yet another term in a position for which he is well adapted.

The general election of November, 1910, decided against him, inasmuch as it returned a Democratic majority in both branches of the State Legislature. By a unanimous vote, Mr. Depew received the Republican caucus nomination to succeed himself, and in the joint ballots received every Republican vote, including the last ballot at the time a choice was made. The Democratic majority experienced difficulty in concentrating their votes upon one member of their party. William F. Sheehan, of New York, received the Democratic caucus nomination, but thirty Democrats, who became styled as "Insurgents," refused to enter a caucus or to be bound by the actions of a caucus, and persisted in voting for others than for Mr. Sheehan; numerous ballots, one cast every week day from Jan. 17 to March 30, 1911, failed to elect. On the evening of March 31, the nominee of a new Democratic caucus succeeded in getting the full Democratic vote and in being elected; this man was James Aloysius O'Gorman, at the time a Justice of the Supreme Court, of the First Department, New York city.

It is no reflection upon the gentleman elected, to mention that before his selection was decided upon, a tender of the

Senatorship was made to a resident of Westchester County; and at one juncture it looked as if a son of Westchester would be succeeded in the United States Senate, from New York, by another hailing from the same county. Supreme Court Justice Martin J. Keogh, of New Rochelle, this county, felt compelled to decline the high honor, which he fully appreciated, as he preferred to remain on the bench and fill out the new term for which he had just been elected.

The Governor of the State of New York has no power to appoint a United States Senator to fill vacancy while the Legislature is in session and able to act. For this reason during the Legislative deadlock of 1911, from March 4, the date Senator Depew's term ended, to one month later, New York State had but one representative in the upper branch of Congress.

Of the total number serving as United States Senators, elected from this State, Westchester County is credited with two, Governeur Morris, of Morrisania, from 1800 to 1803, and Chauncey M. Depew, of Peekskill, from 1899 to 1911.

Eleven, one-fourth, of the Senators have come from New York city. The homes of the rest are widely scattered through the upper section of the State.

Statistics teach us that in the earlier period this office of high honor was not sought after so persistently as it is now. To be a United States Senator in 1789 and for several years later was an honor held in comparatively light esteem. In 1789 the State went unrepresented some months because the State Senate and Assembly could not agree on a method of choice.

The same situation occurred again in 1803, when both Senators having resigned, one to become Mayor and the other Postmaster of New York city, the State was left without a representative in the upper house of Congress. There were nine resignations in the first fifteen years of the Senatorship; since 1844 there have been only two, and those occurring under unusual circumstances.

Stranger than the number of resignations, in the earlier days, were the offices for which aspirants quitted the National Senate. Senator Bailey, who hailed from Poughkeepsie, and who succeeded Gouverneur Morris of this county in the Senate, preferred to be postmaster in New York city rather than Senator. James Watson, of New York, Senator Morris' predecessor, served two years and then resigned to become Naval Agent at New York. Others resigned to accept small judicial offices and

other political positions that would not be thought of by men who to-day measure up to a Senatorship. Those Senators of old were good, able men, but they were, apparently, given to doing queer things.

De Witt Clinton, an able statesman, in 1802 resigned the Senatorship to become Mayor of New York city, by appointment from his uncle, Gov. Clinton. He, it is said, lived to recognize that he had made a mistake and ruined his political prospects, though he got to be Governor. Certainly his Presidential aspirations were set back when he removed himself from the National eye. The same may be said of Nathaniel P. Tallmadge who, in 1844, resigned the Senatorship to accept the Governorship of the Territory of Wisconsin, which he lost within two years.

Contests for the United States Senatorship in this State have generally been settled before the party caucus met, by an agreement among the political leaders; but there have been some interesting contests settled in caucus. One contest, that of 1881, the Conkling-Platt, was carried to the floor of the Legislature. The Senatorial contest of 1911, made famous by a fight started by certain Democratic members of the Legislature against what they termed "an outside controlled caucus," is an event that promises to become historical.

The Campaign Publicity Act, which passed Congress and became a law in August, 1911, prohibits candidates for the Senatorship spending over $10,000 to aid their election.

As early as 1895 State Legislatures began to pass resolutions asking Congress to afford them the opportunity to ratify an amendment to the Constitution which shall provide for the direct election of United States Senators. Other States adopted the more practical expedient of reforming their primary laws, so as to name the man at the primary and to insure the choice of the popular vote being made the choice of the Legislature.

According to the best authority in Congress the only way in which the demand for popular election of United States Senators may be placed before the States as a Federal proposition is in accordance with Article 5 of the Constitution of the United States.

For a long time the definite action of the various State Legislatures on the election of United States Senators failed to make a marked impression upon Congress. Prior to 1911, the House of Representatives passed the necessary Constitutional amend-

ment several times, but the Senate refused to concur, the Senators acting in opposition for various political reasons.

Nevertheless, public sentiment in favor of direct election of United States Senators was never so strong as in this year 1911. In the vote cast in the House of Representatives in March, 1911, only 16 votes were recorded in opposition; the opposition, apparently, related to the extent of the authority which Congress is to retain over the manner of elections and the qualifications of voters.

A change in the mode of selecting United States Senators is sure to come, and soon.

State governments will probably gain more than the United States Government from the election of Senators by popular vote; for Senatorial contests are a persistent source of legislative demoralization.

The President's Salary.

The question of salary of the President of the United States was the cause of much discussion in the First Congress, in view of the fact that the Constitution declared that the President should receive compensation for his services. Washington had notified his fellow-citizens that he desired no salary. The limits suggested in Congress ranged from $15,000 to $70,000. The salary was finally placed at $25,000, and this remained the salary until President Grant's second term (March 3, 1873), when it was increased to $50,000, and an extra allowance allowed for expenses of the Executive Mansion. During the discussion relative to increase of salary and extra allowance, it was held that with time the expenses of the President in maintaining the dignity of the office increased and unless due provision was made by the government to meet these expenses, none but very wealthy men would be able to hold the office of President.

Congress, by act approved March 4, 1907, appropriated, in addition to the $50,000 per annum salary, $25,000 per annum "for traveling expenses of the President of the United States, to be expended at his discretion and accounted for by his certificate solely." Later in the year 1907, the question of increasing the President's salary again came up, and it was finally decided to fix the same at $75,000 per year, and at the following session the additional appropriation of $25,000 per annum for traveling expenses was made.

MEMBERS OF CONGRESS.

(*Continued from page* 16, *Vol.* 1.)

The government of the United States is divided into three branches—legislative, executive and judicial.

In the American scheme of government, comprising three co-ordinate branches, Congress is an important one. It promises to have a total membership of five hundred and twenty-nine.

The legislative powers of the government are vested in a Congress, consisting of a Senate and a House of Representatives, the Senate being designated sometimes as the "upper house" and the House of Representatives as the "lower house" of Congress.

Congress must assemble at least once a year, and the session commences on the first Monday in December, in the city of Washington, District of Columbia.

The House of Representatives is known as the "popular body," as it is nearer to the people, reflecting the sentiment of the people, and its members being elected more frequently than members of the "upper house." The term of office of a Representative is two years, that of a Senator six years; the first being chosen by direct vote of the people, the second by votes of members of Legislatures in the several States.

Representatives are elected every second, or even, year by the people of the different States. Any male person at least twenty-five years of age, who has been for seven years a citizen of the United States, is eligible for the office of Representative in Congress; he must, further, be an inhabitant of the State from which he is chosen. The number of Representatives to which any particular State is entitled depends upon the population of the State, the only persons excluded in determining the number of Representatives in most States being Indians. In Oklahoma State Indians may be counted and vote, on condition that they have severed tribal relations.

The Constitution makes no provision for the appointment of any officers of the House of Representatives, except the presid-

ing officer, who is called the Speaker; this officer has usually been a member of the House, but it is held that, under the Constitution, the House may choose a Speaker who is not a member. Frequently of late there has been much talk in Congress of electing as Speaker a parliamentarian who is not a member of that body. Advocates of this idea claim that the English plan of having an expert parliamentarian, instead of a politician, as a presiding officer is the only correct one. They maintain that as long as the House selects a party leader as Speaker just so long will the House have partisan and unfair rulings from the chair.

At the time of the adoption of the Constitution, each State was allowed one Representative for every 30,000 of population, but every State having a population of less than 30,000 was entitled to one Representative.

Under the apportionment made in accordance with the last census; this State is allowed one Representative for approximately every 212,000 of inhabitants.

The United States census taken in the year 1910 may change materially the apportionment of Representatives in Congress.

The Senate of the United States is composed of two Senators from each State, chosen, as a general rule, by the State Legislature for a term of six years. In many States the Senators are chosen by a popular vote; names of candidates for the office are placed before the people assembled at political primary meetings and a vote taken to express preference, the person receiving the highest number of votes is thus recommended to the Legislature, and the Legislature in turn confirm the action of the people by electing their choice. An "election by the people" mode of choosing United States Senators.

The qualifications of a Senator are that he must be at least thirty years of age and must have been a citizen of the United States for nine years, and must be an inhabitant of the State from which he is chosen.

In case the office of Senator from any State becomes vacant while the Legislature of the State is not in session, the Governor has power to make a temporary appointment until the Legislature meets. It has generally been held that the Governor does not have power to make a temporary appointment in case of vacancies occasioned by a failure of the Legislature to elect, although in recent years several such appointments have been attempted to be made.

The Vice-President of the United States is the presiding officer of the Senate, but he has no vote unless the Senate is equally divided. All other officers of the Senate are chosen by the Senators, and among them is a President *pro tempore,* who presides in the absence of the Vice-President and performs all the duties of the Vice-President in case the Vice-President is required to exercise the duties of the President, as was the case in several instances, by reason of the death of Presidents of the United States.

UNITED STATES SENATORS FROM THIS COUNTY.

Gouverneur Morris, of Westchester, from April 3, 1800, to February 1, 1803.

Chauncey M. Depew, of Peekskill, two terms. Elected January 18, 1899, re-elected January 18, 1905; term expired 1911.

The election of a United States Senator is controlled by Federal law, not by State law. The act of 1866 carefully defines the procedure.

On the second Tuesday after its meeting and organization the Legislature is to convene for the purpose of electing a Senator. "Each house shall openly, by a viva-voce vote of each member present, name one person for Senator in Congress from such State." The following day the two houses convene in joint session at noon, and if the same person has received a majority of all votes in each house he shall be declared Senator. Otherwise the joint Assembly shall proceed to choose, "by a viva-voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected." If there is no majority the joint Assembly is required to meet each succeeding day during the session and take at least one vote until a Senator is elected.

As the New York Legislature consists of 201 members, 51 being Senators and 150 Assemblymen, it requires 101 votes to elect a United States Senator in this State.

The Governor of a State has no power to appoint a United States Senator to fill vacancy while the Legislature is in session, and able to act to elect.

The proposition to amend the Constitution of the United States, now being submitted to the several States, providing

for popular election of United States Senators, will, it is believed, be adopted.

Twenty-seven States petitioned Congress to call a convention to submit to the States a constitutional amendment providing for popular election of Senators. Most of these States already select Senators by vote cast at primary elections.

REPRESENTATIVES IN CONGRESS FROM THIS COUNTY.

By act of the Legislature, passed April 13, 1892, Westchester County was combined with a small section of New York City, of what was known as the "annexed district," to make the 16th Congressional District.

Under that apportionment the following named gentlemen have represented the district, in the years given:

William Ryan, of Port Chester, 1893-4.*

Ben L. Fairchild, of Pelham, 1895-6.

William L. Ward, of Port Chester, 1897-8.

John Quincy Underhill, of New Rochelle, 1899, 1900. (Died May 21, 1907; aged 59 years.)

Cornelius A. Pugsley, of Peekskill, 1901-2.

Changes in boundary line, in 1901, under new apportionment, effected also a change in the political complexion of local Congressmen, the Westchester County Congressional district now being as strongly Republican as it was before Democratic.

Norton P. Otis (a former Mayor), 1903-4. (Died February 20, 1905.)

John E. Andrus (a former Mayor), 1905-6-7-8-9-10-11, present incumbent.

The vote cast for Congressman in the Nineteenth (Westchester) District, 1910, was divided as follows:

John E. Andrus, Republican and Ind. Labor..	23,140
Cornelius A. Pugsley, Democrat.....	22,247
Alfred E. Dixon, Socialist.....	929
Charles A. Brady, Prohibition.....	286

A new apportionment of Congressional districts in the State has been made under the Federal census of 1910. The State is given 43 instead of 37 Congressmen.

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*For names of previous Congressmen see page 17, Vol. 1.

Jared V. Peck, of Rye, who served during the years 1853 and 1854, preferred to be considered as a business man, possessing good common sense. He was not a man for show or self aggrandizement, as was proven when he later presented a free library to Port Chester, giving building and books, valued at $30,000, on the expressed condition that his name be not connected with the gift in any way, not even as a trustee. He also served as a Presidential elector in 1856.

John B. Haskin, of West Farms, was a forcible speaker, strong in "stump campaigning." He was often heard of in Congress. He frequently stated that he came from "fighting stock," and as a political fighter he proved himself worthy of his sires. He served four years in Congress.

William Radford, of Yonkers, who was not an orator and never spent time in attempts to make speeches, served two terms in Congress, 1863-4-5-6, as a Democrat; was again a candidate for re-election in 1866. He was at this time opposed by a considerable number of influential members of his own party, who took issue with him on account of certain actions of his in Congress; it being charged that he knowingly and intentionally deserted his party and arrayed himself on the opposite side and supported political measures advocated by his party's opponents, the consideration offered him being political patronage. The district at that time was strongly Democratic, and Congressman Radford believed that if he was successful enough to get the party nomination his election would certainly follow, regardless of the disaffection among his old supporters. He secured the nomination; in fact he was permitted to secure the nomination by those who had a purpose to serve. Seeing an opportunity not to be disregarded, the Republican party prevailed upon County Judge William H. Robertson to become the party candidate for Congress. The campaign that followed was one of the most spirited for that period. The disaffected Democrats voted for Robertson or remained away from the polls; Robertson was elected. Congressman Radford retired to private life. Thus Judge Robertson was enabled to break into a long line of Democratic Congressmen from the local district. But he expressed no desire to return to Washington; in fact, he stated that he did not feel at home in Congress, would prefer to legislate for the county in Albany.

Clarkson N. Potter, Democrat, of New Rochelle, followed Robertson and served as Representative in Congress three terms,

when he decided to retire, to, as he said, give some one else a chance to serve the district. N. Holmes Odell, Democrat, of Tarrytown, who was ending his third term as County Treasurer, was nominated to succeed Mr. Potter, and Mr. Potter succeeded Mr. Odell. The special fitness of Mr. Potter for the office was generally acknowledged and he was usually elected with but little opposition. Mr. Potter in 1879 was the Democratic candidate for Lieut.-Governor, but was defeated in a close campaign, in which it was at first believed he was elected.

When Mr. Odell ran he had as his Republican opponent ex-Assemblyman Amherst Wight, Jr., of Port Chester. Mr. Wight had taken a prominent part during several sessions of the Legislature and had proven himself a man of marked ability; he had, he thought, got all the honor there was in being an Assemblyman, and being ambitious, he sought the Republican nomination for Congress. He was permitted to be nominated, but—. The rumors afloat at the time implied that he did not receive the party support, for the reason that it was feared he aspired to be a party leader when the then recognized party leaders did not want their number increased. After this sad defeat, Mr. Wight, Jr., retired from active politics.

The election of Alexander Smith, Republican, of Yonkers, in 1879, over Malcolm Cobb, Democrat, of Ossining, was the second break into the Democratic Congressional line. Mr. Smith had at the time gained wide reputation as a carpet manufacturer employing several hundred, if not thousands, of people; and this, added to his high personal character, rendered him particularly popular; and, notwithstanding he ran against a most estimable gentleman and a leading member of the Westchester County bar, he was elected. But the excitement of campaigning, though personally moderate, proved too much for his health, which of late had not been robust. At nine o'clock in the evening, on the day of election, just after word announcing his success had been brought to him, he died. The vacancy caused by his death was not filled until after the next general election, at which Waldo Hutchins, Democrat, of Kingsbridge (formerly of Yonkers now in the annexed district), was chosen.

Mr. Hutchins served in Congress two terms. He had, when he first ran, for his Republican opponent Alexander Taylor, of Rye, a representative of the young element in politics. Taylor proved to be a hustler and ever kept the friends of his opponent

guessing as to the length his ability as a vote-getter would take him. It was believed at first that Taylor had carried the Democratic County of Westchester; but the official vote gave the county to Hutchins by 549; the strong Democratic vote in "the annexed district" added to Hutchins' majority. When the latter ran again he had as his Republican opponent a gentleman who proved to be gentleness itself. Mr. Hutchins was re-elected.

Mr. Hutchins then tried for the nomination for Governor, but was defeated in the Convention by Grover Cleveland securing the nomination.

The year 1894, when William Ryan was a candidate for re-election, proved a bad one for the Democrats. In that year the Tariff issue was raised, and as a result the Republican-Protectionists swept the country, and known Democratic Congressional Districts were carried by the Republicans, as they never were before; this, the 16th, was influenced the same way, and a Republican succeeded Mr. Ryan. Changes of this kind are liable to occur at any time; the enactment of a new high Tariff law, in 1910, when the people were clamoring for "a revise downward," caused Republican districts to elect Democrats and gave a majority in the House of Representatives to the Democrats in 1911.

The Republican victory in 1896 was attributed to the Bryan 16 to 1 issue; in that year Bryan ran as the Democratic candidate for President, and it was a sure thing for any one running on the opposition ticket in this locality.

To oppose Ryan, in 1894, the Republicans made a strong nomination in naming Ben L. Fairchild of the town of Pelham. Mr. Fairchild conducted a clever canvass in his determination to overcome a formidable adverse majority, and proved himself to be a "hustling vote-getter," as was promised he would do at the time his friends asked for his nomination. In Congress Mr. Fairchild's vote was recorded on the right side of every proposition, and the record made by him as our district's representative will bear minute inspection; it proved creditable to his constituents as well as to himself. As was his due, under the accepted rule that "one good term deserves another," Mr. Fairchild received the regular nomination from the Republican party for re-election in 1896, at a convention, regularly called by the Republican Congressional Committee, and held in the city of Yonkers. Unfortunately for harmonious action, the Republican party within the Congressional district was at this

period in a "state of upheaval," as a result of a faction fight growing out of a spirited rivalry for the local party leadership. One faction headed by Judge William H. Robertson and William L. Ward opposed the faction friendly to Congressman Fairchild, and for this reason opposed the latter and refused him an endorsement. The Robertson-Ward faction held a Republican convention in White Plains on the same day the Republican convention in Yonkers renominated Congressman Fairchild.

The first action taken by the leaders in White Plains was to agree that the nominee of their convention was to "stand pat," and continue as a candidate for Representative in Congress to the closing of the polls on election day; maintaining, in season and out of season, that he, and he only, was the "regular nominee" of the Republican party in this district. William L. Ward was finally persuaded to take the nomination from the White Plains convention on conditions specified. Mr. Ward simultaneously secured an independent nomination by petition. Both alleged Republican "regular" candidates being men of "grit," the strife for the masterhand was soon under way, to the full satisfaction of all who enjoy being onlookers viewing the skillful playing of the political game. The opposing forces were equally expert as well as resourceful, and in the end honors were about equally divided.

The certificate of Mr. Fairchild's nomination by the Republican convention was filed with the Secretary of State at Albany, as the law requires; Mr. Ward caused a separate certificate of his nomination by the White Plains convention to be also filed with the Secretary of State. Both Fairchild and Ward claimed to be the "regular nominee" of the Republican party for Representative in Congress from this district. The Secretary of State decided that the convention nominating Mr. Fairchild was the regular Republican convention, authorized to make such nomination. To this Mr. Ward and friends objected and forthwith appealed, from the Secretary of State's decision, to Mr. Justice Edwards, sitting in Hudson, N. Y. Justice Edwards, on this application, issued an order overruling the Secretary of State, and directing Mr. Ward's name to be printed in the Republican column on the official ballot in place of the name of Mr. Fairchild. An appeal from Justice Edwards' order was taken to the Court of Appeals, but it was too late for the appeal to be heard before election day, with the result

that Mr. Ward's name on election day was printed in the Republican column, giving him the Republican vote and the election on the face of the returns. Subsequent to the election the Court of Appeals unanimously reversed Justice Edwards' with an opinion (151 New York, page 359) which held on the merits that Mr. Fairchild was the regular Republican nominee and that his name should have been printed in the Republican column on the official ballot, and also held that Justice Edwards, through whose order Mr. Ward's name was printed in the Republican column on the official ballot, had no jurisdiction to make such order.

But this decision of "the higher court" came too late to benefit Mr. Fairchild, though it doubtless afforded him satisfaction to a great degree, even if it did not restore to him his just due. Mr. Ward was comfortably seated in Congress, realizing that possession is many points in law; his associates decided not to disturb him, and he was permitted to serve out the two years' term, at the end of which Mr. Ward declined a renomination, stating that his vast business interests demanded his undivided attention.

Mr. Fairchild loyally served the district in Congress, and by so doing earned a re-election. Mr. Ward ably and faithfully succeeded him, and their constituency in this county profited by the services of each.

LENGTH OF SERVICE.

A study of the length of service of Senators and Representatives in Congress, is, at least, an interesting one. Numerous members of Congress have been retained by constituents many years, some as long as they would consent to remain in the service of the people. Their inducement being patriotic motives, more than from a desire for pecuniary compensation, as the salary attached to the office of Senator or Representative is shamefully small and inadequate.

Service has been longer in the Senate than in the House, on account of the term being longer. In the early period men who were not so absorbed in business and in chasing the almighty dollar, were willing to serve their country longer in the halls of Congress, and their constituents were anxious that they should. It would not be fair to say that men were more patriotic, self-sacrificing and abler in the earlier days of the Republic than men are now.

It has been found that long service is helpful to the State and gives the member leadership in committee appointments which is of great value to his district.

Philip Van Cortlandt, who represented this county in the first Congress as Representative, served twelve years, from 1789. Aaron Ward, another of our Representatives, served one year longer, from 1825 to 1844, but not continuously. These men were residents of this county. Of the later day, Clarkson N. Potter, of New Rochelle, served the longest time, four terms, eight years. As a usual custom, local Representatives were retained only for one term, two years; occasionally there was an exception. The present Representative, John E. Andrus, of Yonkers, is serving his fourth term, or seventh year.

In the United States Senate, Chauncey M. Depew, of Peekskill, served twelve years. His last term ending March 4, 1911.

Many able men have preferred to be in the House rather than in the Senate. Henry Clay liked the turbulence of the lower chamber better than the solemn stillness of the other branch. He began his real political career there in 1811, although he was in the Senate as early as 1806. Clay's service in national office extended to his death in 1852, while a member of the Senate. It covered a period of 46 years in all, though part of the time he was in private life.

There were men with long public careers earlier than Clay. Nathaniel Macon, of North Carolina, entered the House of Representatives in 1791, and was there until 1815, when he went to the Senate and served until 1828, thus being in Congress 37 years continuously. Thomas Newton, of Virginia, was in the House from 1801 to 1831, continuously. He was the only man who served 30 years in the House until William S. Holman, of Indiana, in more recent days, slightly exceeded that record.

Senator Benton, one of the ablest men ever seated in Congress, represented his State in the United States Senate for 30 years, continuously. No one equalled this length of service until the time of Senator Sherman, of Ohio, and Senator Morrill, of Maine, in later years, save Senator William R. King, of Alabama, who was in the Senate in the aggregate about 30 years. King and John C. Calhoun, of South Carolina, began their public service in 1811, when both were members of the House over which Speaker Clay presided, and each was in national office at the time of his death, Calhoun dying in 1850 and King in 1853. Both were in each branch of Congress and in

the Vice-Presidency. Calhoun being Vice-President from 1825 to 1829; Calhoun was also Secretary of War in President Monroe's Cabinet, in 1817. King was Vice-President in 1853, but died one month and fourteen days after taking office; office remained vacant balance of term.

Henry Clay, besides serving many terms in Congress, was Secretary of State during the administration of President John Quincy Adams, serving from 1825 to 1829.

The public service of Daniel Webster, of Massachusetts, began in 1813, two years later than that of Calhoun and King, and included membership in each branch of Congress. He died 39 years later, while Secretary of State under President Fillmore, in 1852. Previous to entering Filmore's Cabinet, he had served as Secretary of State in the Cabinets of President Harrison and Tyler, from 1841 to 1843. (His widow lived and died in New Rochelle in this county.)

After retiring from the office of President of the United States, John Quincy Adams, known as "the old man eloquent," was elected as a Representative in Congress, and held that office at the time of his death. In 1836 his colleagues in the House were James K. Polk and Franklin Pierce, who were later to be Presidents of the United States.

In 1848, when Polk was President, Abraham Lincoln, who was serving his first term, and Andrew Johnson, who later was Lincoln's associate on a Presidential ticket, was serving his third term, were members of the House; Lincoln a Whig, and Johnson a Democrat. In this Congress, the thirtieth, Horace Greeley, two years later a resident of Westchester County, was a member, representing a New York city district, elected to serve three months to fill a vacancy.

Jefferson Davis, a United States Senator, and later President of the Southern Confederacy, in 1848 declined to support, or even vote for, his father-in-law, Gen. Zachary Taylor for the office of President of the United States, on political grounds. Gen. Taylor was the successful Whig candidate.

Mr. Davis was a colleague in Congress of Jared V. Peck, Representative from this county, and they were intimate friends.

Thomas Corwin, of Ohio, had been a member of Congress prior to 1850, when he entered President Filmore's Cabinet as Secretary of the Treasury; from 1850 to 1853 he served as a Cabinet officer, and in 1859 was sent back to Congress. When

he looked about him and saw many new faces, and missed many old ones, he exclaimed, "The Gods, are all dead?" referring to Clay, Calhoun, Webster, Benton, King, John Quincy Adams and the rest of the distinguished men with whom he served many years earlier, his first appearance in Congress being in 1831. His career in public life lasted until 1864.

James Monroe's career as a public official, which began with his election to the Continental Congress in 1783, ended forty-two years after, when he retired from the highest office in the gift of the people, the position of President of the United States. Besides serving in both houses of Congress, Mr. Monroe was Secretary of State under his close friend President Madison, and held various responsible positions representing this Nation in foreign countries. He abandoned the practice of law when a young man, and was afterward, and until his election as President, always holding public office, his special fitness making him in constant demand.

Lewis Cass, of Ohio, and John J. Crittendon, of Kentucky, both of whom held portfolios in the Cabinets of two Presidents, served long terms in Congress.

Coming down to more recent periods we come upon several long records of service in public life. The length of service of some members of Congress who died recently are notable. John Sherman, Senator from Ohio, and Justin S. Morrill, of Maine, who were in Congress shortly after the Missouri Compromise, entered the House in 1856, and Morrill remained there continuously until 1867, and in the Senate from that time until his death in 1898, or 43 years, 9 months and 24 days, which is the longest career in Congress continuously or absolutely in American annals. His service in the Senate was little less than 32 years. Sherman was in the Senate almost 32 years and in the House six years. Sherman was a member of President Hayes' Cabinet, as Secretary of the Treasury, from 1877 to 1881, and a member of President McKinley's Cabinet, as Secretary of State, for a short period.

Senator Allison, of Iowa, served in the United States Senate for 35 years and a few months, and was one of its most influential members.

Senator Aldrich, of Rhode Island, came from a little State, but he was until recently the big man in the Senate, the leader of the majority, conspicuous in the formation of tariff laws and other laws relative to the finances of the Nation. He entered

the Senate 29 years ago, and in 1910 declined a re-election. He retired with 30 years of service to his credit.

The venerable Senator Hale, of Maine, the Nestor of the Senate, had been a member seven months longer than Aldrich, when he retired from the Senate in 1910. He would have had to retain his place in the Senate until his eightieth year to pass Aldrich's record.

Senator Benjamin Ryan Tillman, of South Carolina, is serving his eighteenth year in the Senate.

Senators Cockrill, of Missouri, Hoar, of Massachusetts, Morgan, of Alabama, Frye, of Maine (who died in 1911), Jones, of Nevada, and Representative Grow, of Pennsylvania, are others who gave many of their best years to long service of their country, in the halls of national legislation.

Representative Cannon, of Illinois, Speaker of the House, is serving his eighteenth term in Congress. Sereno E. Payne, of New York, late Republican leader on the floor of the House, and father of the present Payne tariff bill, is in his thirteenth term of service, and is likely, if his life be spared, to serve many more years.

Representative Samuel Randall, of Pennsylvania, made a long record for service and was active in public life up to the hour of his death. Mr. Randall, who had relatives here, was well known in this county.

Of the members of the House of Representatives, thirty-seven in number, from the State of New York serving in the present Sixty-second Congress, one will, at the finishing of this term, have served thirteen terms, one eight terms, two seven terms, three six terms, six five terms, three four terms, nine three terms, six two terms, and six are in their first term of service.

William Sulzer, of New York city, is serving his eighth term; D. S. Alexander, of Buffalo, and George N. Southwick, of Albany, retired in 1911 after serving their seventh term.

The oldest member of the present Senate, in the Sixty-first Congress, in years, is Isaac Stephenson, of Wisconsin, aged 80; the youngest Senator is Mr. Gore, of Oklahoma, 39 years of age. The oldest member of the House of Representatives, N. D. Sperry, of Connecticut, 83 years of age, retired in 1911; and the youngest Representative is Charles Gordon Edwards, of Georgia, aged 32 years.

As we scan the roster of the United States Senate and note the birthplaces of Senators, we are impressed with the fact that the State of Mississippi has gained the distinction in the Sixty-first Congress of being the "Mother of United States Senators." There are at present seven members of the upper house of the National Legislature who first saw the light of day in that State. No other State can boast of so large a number. Each has achieved a high degree of success in political affairs. Their names are Hernando D. Money and Anselm J. McLaurin (both died recently), who represented Mississippi in the Senate, Joseph W. Bailey, of Texas, Francis G. Newlands, of Nevada, James P. Clarke, of Arkansas, Thomas P. Gore, of Oklahoma, and George E. Chamberlain, of Oregon. Each of these Mississippians won fame before coming to the Senate. By many, Senator Money was regarded as the most accomplished scholar in the Senate; he was a conspicuous member of the House before his election to the Senate, where he served his third term, of six years each. Senator McLaurin was twice Governor of his native State before he became Senator. Senator Bailey was a political factor in Mississippi three years before he attained his majority, and was a Presidential elector at the age of twenty-one. Senator Newlands left his native State to go West in search of fortune; he became private secretary to the late Senator Sharon, of Nevada, afterwards the manager of a large mining estate, and finally married Sharon's daughter. He served ten years in the House and was father of the irrigation law by which millions of acres of arid lands of the West have been brought to fertility.

Senator Gore, the blind statesman, and the youngest Senator, being only 39 years old, for years has been recognized as the greatest orator of the Southwest. Senator Clarke achieved distinction as Attorney-General and Governor of Arkansas. Senator Chamberlain was twice elected as the Democratic Governor of Oregon, a strong Republican State, and is largely responsible for the famous Oregon primary law which provides for the popular election of United States Senators. The law enabled him to come to the Senate, although the Republicans controlled the Legislature by a large majority.

Kentucky ranks next to Mississippi as the birthplace of United States Senators. Senator Cullen, of Illinois, Republican, Senator Bristow, of Kansas, Republican, Senator Stone, of Missouri, Democrat, Senator Piles, of Washington, Repub-

lican, Senators Bradley and Paynter, of Kentucky, Democrats, were all born in the Blue Grass State.

The State of Maine has two Democratic Senators, caused by change of political views of its electors, for the first time in the State's history.

There are no "gentlemen" in the Senate. That is to say, there are none in a parliamentary sense. They are all gentlemen in polite society, but they must not be referred to as such during the Senate proceedings.

It is perfectly proper in the House of Representatives to refer to an associate on the floor as the "Gentleman from Maryland or Maine or Florida," but to speak of a Senator as the "Gentleman from Tennessee or Virginia or Rhode Island" would be an unpardonable breach of Senatorial proprieties. The member of the upper branch must always be called or addressed as the "Senator from so-and-so."

Ever and anon Vice-President Sherman, who got his parliamentary training in the House, speaks from the chair to "the gentleman, etc." He generally catches himself in time to save himself a rebuke from some stickler for form.

Not long ago a new Senator, in making a speech, continued to refer to an associate as "the gentleman from New York." He was allowed to finish his speech, but when he had concluded Senator Gallinger rose and administered a gentle but effective rebuke to the new member.

"I do not wish to reflect upon the Senator from New York," said Senator Gallinger, "by suggesting that he is not the gentleman which he has been so frequently called during the late address, but we know that the practice in this body prohibits such usage."

The fact that two brothers, from different States and of different political faiths, served in the House of Representatives in 1910, attracted some attention. The cases of two brothers, elected specially to represent strong opposite views, like Representative George E. Foss, of Illinois, and Representative Eugene N. Foss, of Massachusetts (in 1910), have been less rare than they are generally supposed to have been. In their instance, however, the striking circumstance is added that they belong to different parties, the Illinois Foss being a Republican and the Massachusetts Foss a Democrat, though only newly fledged.

In the Congress of 1847, which marked Lincoln's first appearance in Washington as a member of the House, there were three brothers from the same State. Maine was represented in the Senate by William Pitt Fessenden, who succeeded Salmon P. Chase in Lincoln's Cabinet as Secretary of the Treasury, and in the House by Samuel C. Fessenden and Thomas A. D. Fessenden. In a previous Congress three Washburns had served, but they were from different States.

In 1849 Senator Dodge, of Wisconsin, and Senator Dodge, of Iowa, father and son, were members of the same body. The former was the first Territorial Governor of Wisconsin, holding office from 1836 to 1841, and from him Dodgeville, the county seat of Iowa County, Wis., takes its name.

In the Fifty-ninth Congress Frederick Landis joined his brother Charles B. Landis for one term as a fellow-member from Indiana. A third brother at the time was Postmaster at San Juan, Porto Rico, and a fourth Judge Kenesaw Mountain Landis of the United States District Court.

The Congressional perquisites are worthy of mention. Every Member of Congress has the free use of the Congressional baths and the barber-shops under the Capitol. He can take a nifty Turkish bath, a Russian bath, a Roman bath, a needle-shower, or the plain, old-fashioned Pike County style of bath, lying down in a tub with both faucets going, and it doesn't cost him a cent. As often as he pleases he may have a shave, a hair-cut, a facial massage and be manicured all around, as they say in parts of Iowa when shoeing a horse. Every other day he can have the back of his neck shaved, just as if he were going to some large social function back home. Uncle Sam pays for the attendants and provides the whole outfit.

We mustn't overlook the notion-counter at the Capitol, either. The members don't, so why should we? Especially as the said notion-counter is a gracious and enduring boon to statesmen, their wives, families, heirs and assigns. It contains everything you can think of that would properly come under the head of notions, and a great deal besides—all kinds of stationery, all kinds of typewriter and desk supplies, pocket-knives, scissors, fountain-pens, card-cases, purses, wrist-bags, visiting-cards, business cards, and—sh-h-h!—even the kind of cards that run fifty-two to a set and may be used for playing old maid and other harmless games.

COMPENSATION OF MEMBERS.

Attempts of Members of Congress to advance their pay from time to time have raised a breeze that swept them from office. Prominent men believed to be guilty of attempts to raid the United States Treasury by the introduction of "grab bills," have been voted to remain at home, and the halls of Congress that knew them once know them no more. Even in the earliest days, Members of Congress were charged with defrauding the Government by presenting dishonest claims for mileage.

When the pay of Members of Congress was originally fixed, railroads and steamboats as yet were not; stage-coaches ran on a few, and but a few, great highways of travel; most of the members came part of the way on horseback, and some came all the way. It was therefore deemed just, in fixing their compensation at $6 per day, to stipulate that a like sum should be allowed as mileage, or the cost in time and money of journeying each twenty miles on the roads to and from Washington. Congress, in time, raised its own pay to $8 per day, and $8 for every twenty miles in coming to and returning from Washington. In 1816 the pay was changed to $1,500 per annum, the mileage remaining as before; but the people revolted at this, and swept out nearly every member who had voted for the salary raise. The next Congress had to repeal the Compensation Act, and the price per day went back to $8, mileage the same. In 1848 a war for "cut prices" as to mileage was made in Congress. It was not only charged that the rate allowed was outrageously high, but also that members were dishonest in their demand for pay; alleging that they traversed more miles than they really did or was necessary for them to do. Much bitterness was occasioned owing to open charges of dishonesty of members in this respect.

The introduction and rapid multiplication of steamboats, especially on our great trans-Alleghany network of rivers and lakes, rendered this mileage absurdly too high. A member now (in 1848) traversed a distance of two thousand miles about as quickly as, and at hardly more expense than, his predecessor by half a century must have incurred on a journey of two hundred miles, for which the latter was paid $80, and the former $800. Nor was this all. The steamboat routes, though much more swiftly and cheaply traversed, were nearly twice—sometimes thrice—the length of the stage and horseback roads they superseded. And—as the law said at first, and continued to

say, that they were to charge mileage "by the usually traveled route"—they then charged and received twice as much for traveling five days in a sumptuous cabin, replete with every luxury, as their fathers were paid for roughing it over the mountains in fifteen to twenty days, at a far greater cost.

It was protested that it was not right for a member residing in central Ohio, Indiana or Illinois to "swing around the circle," *via* Detroit, Buffalo, Albany, and New York, in traveling from home to Washington City; in fact, railroads are generally straightening and shortening the "usual" routes of traveling.

Next the pay of a Member of Congress was raised to $3,000 per annum, and an allowance of forty cents per mile, by "the usually travelled route." Later the salary was fixed at $5,000 per annum and the mileage fixed at twenty cents per mile.

The present salary of a Member of Congress, Senator and Representative, is $7,500 per annum, and mileage of twenty cents per mile for traveling to and from Washington.

The bill for the apportionment of Representatives in Congress under the thirteenth census, as adopted by the House, provides for a new House of 433 members on and after March 3, 1913. With Arizona and New Mexico admitted to Statehood, with one Representative each, the total will be 435. The present membership is 391.

Under the new reapportionment plan no State loses a member. The following States gain the number indicated: Alabama, 1; California, 3; Colorado, 1; Florida, 1; Georgia, 1; Idaho, 1; Illinois, 2; Louisiana, 1; Massachusetts, 2; Michigan, 1; Minnesota, 1; Montana, 1; New Jersey, 2; New York, 4; North Dakota, 1; Ohio, 1; Oklahoma, 3; Oregon, 1; Pennsylvania, 4; Rhode Island, 1; South Dakota, 1; Texas, 2; Utah, 1; Washington, 2; West Virginia, 1.

Under the new apportionment, of 1911, New York State will have forty-three Congressional districts.

The States are left free to redistrict themselves in their own way and to determine the qualifications of voters without Federal interference.

The Campaign Publicity Bill, passed by Congress in August, 1911, became a law on receiving the signature of President Taft, on August 19. This act provides that Congressmen may spend $5,000 and Senators only $10,000 to further their election. It provides also for the publication of expenditures both before and after election.

NEW APPORTIONMENT

The State Legislature, on September 30, 1911, in passing a bill reapportioning the State into Congressional Districts, placed the County of Westchester into two districts, to be known as the Twenty-fourth and the Twenty-fifth Districts, and fixed the boundary lines of said new districts as follows:

Twenty-Fourth District—Beginning at the Bronx River at the intersection of said river and the boundary line between the city of New York and the city of Yonkers, running west of said boundary line between the city of New York and the city of Yonkers, to the Hudson River, along the Hudson River north to the boundary lines of the city of Yonkers and the Town of Greenburg, east along said boundary line to the point where said boundary line meets the boundary lines between the towns of Greenburg, Scarsdale, Eastchester, thence southeast along the boundary line between the Towns of Scarsdale and Eastchester southerly along the boundary line between the town of Eastchester and the city of New Rochelle, and along said boundary line to the point where the said boundary line meets the boundary line of the city of Mount Vernon and the Town of Pelham, and along the boundary line between the city of New Rochelle and the Town of Pelham and along Long Island Sound, to the East River to One Hundred and Forty-ninth Street, in the Borough of the Bronx, southwesterly to One Hundred and Forty-ninth Street, through Prospect Avenue, northerly to Prospect Avenue to Freeman Avenue, northerly on Freeman Avenue to Southern Boulevard, northerly through Southern Boulevard to Pelham Avenue, easterly on Pelham Avenue to the Bronx River to the intersecting boundary line of the city of New York and the city of Yonkers, to the point of beginning.

Twenty-Fifth District—The county of Rockland and the County of Westchester, except that portion lying within the city of Yonkers, the city of Mount Vernon, the Town of Eastchester and the Town of Pelham as at present constituted, shall comprise the Twenty-Fifth District.

Biographical Sketches.

WILLIAM NELSON.

William Nelson, late of the village of Peekskill, this county, able lawyer, District Attorney, Member of Assembly, State Senator, Justice of the Court for the Correction of Errors, Representative in Congress, etc., was born on June 29, 1784, in Clinton, near Hyde Park, N. Y., the eighth child and sixth son of Thomas and Sara Wright Nelson.

His ancestors were of English origin, and the first to settle in this country came over from England about the middle of the seventeenth century, and established himself on a farm in Mamaroneck, in this county. This farm, which was in the vicinity of the residence of the Heathcotes, DeLanceys and other prominent Colonial families, was kept in the Nelson family for many generations.

Thomas Nelson, the father of the subject of this sketch, at an early age married Miss Wright, the daughter of a respected farmer who lived in Hanover, now Somers, in this county. After marriage he settled on a farm he had purchased on Crum Elbow Creek, in Dutchess county. His wife bore him ten children, of whom William was the tenth. The early years of William Nelson were spent as were those of most farmers' sons—devoting the glorious summer time to raising crops and going to the district school in the winter.

Later he attended the academy in Poughkeepsie, near by; here he acquired a knowledge of some of the higher branches of English education, and pursued for a short time the study of Latin. He next became a law student in the office of Theron Rudd, of Poughkeepsie, then an attorney of distinction and large practice, and later a clerk of the District Court of the United States.

Mr. Nelson was admitted to the Bar in 1807, and his diploma was signed by James Kent, then Chief Justice of the Supreme Court of the State of New York. He migrated on horseback to Buffalo, N. Y., where he contemplated establishing himself in the practice of his profession. One of the first matters in his professional career took him to Peekskill, in this County, where he contemplated staying for a few months. He became so involved in legal matters that he permanently established his office and residence in last named place.

His acquaintances in the legal fraternity included the most distinguished which constituted the Bar of Dutchess county. Among them were Smith Thompson, Judge of the Supreme Court of the United States; James Talmage, afterward Lieutenant-Governor of the State of New York; Thomas J. Oakley, afterward Chief Justice of the Supreme Court of New York; Gilbert Livingston, James Emmett, Sr., who became Circuit Court Judge; Nathaniel P. Talmage, later United States Senator; James Hooker, later Surrogate of Dutchess County, and many others.

William Nelson early identified himself with the county's best interests and soon became Peekskill's leading citizen. His law office had as students men who later became distinguished as lawyers with nation-wide reputations; United State Senator Chauncey M. Depew, Supreme Court Justice Jackson O. Dykman, County Judge Robert S. Hart, Calvin Frost, J. Warren Tompkins, Francis Larkin, David Wiley Travis and others well known, were ever pleased to say that they once studied law under the guidance of William Nelson of Peekskill.

In 1815 Mr. Nelson was appointed District-Attorney for the district composed of the counties of Westchester, Rockland and Putnam, which office he held until, by act of the Legislature, in 1818, the districts were made coterminous with the counties. For more than twenty-five years he was District-Attorney of Westchester County, having been commissioned by Governors Daniel S. Tompkins and Dewitt Clinton, successively, and been continued in the office many years afterward by the Judges of the Court of Common Pleas of the county after they became empowered to make the appointment.

He was elected a Member of Assembly and served the upper district of the county in the years 1820 and 1821.

In 1823 he was elected State Sena-

WILLIAM NELSON

tor and ably served the district from 1824 to 1827.

From 1824 to 1827 he also served as a Judge of the Court for the Correction of Errors, then the highest Court of this State.

In 1823, shortly after the adoption of the new constitution, Gov. Yates tendered him the Circuit-Judgeship of the Second Circuit, but he declined the same and the appointment was given to and accepted by Samuel R. Betts, later appointed United States District Court Judge.

In 1846, he was nominated to be a member of the convention to revise the State Constitution, but failed to be elected, by a small vote.

In the same year, 1846, Mr. Nelson was nominated for Representative in Congress for the district composed of the counties of Westchester and Rockland, and was elected by a handsome majority. He was re-elected in 1848, and served in Congress until 1851. He proved a useful member, whose popularity enabled him to be of great service to his home district. In Congress one of his colleagues was Abraham Lincoln, of Illinois, later President of the United States. Between these two men a strong friendship grew that lasted during the life of the lamented President. When on his way to Washington, in 1860, to be inaugurated as President, Mr. Lincoln stopped at Peekskill to greet his old friend Nelson.

After retiring from Congress Mr. Nelson devoted his time to the practice of law, and to the time of his death was the recognized head of the County bar.

Mr. Nelson had a singular combination of legal and business ability. He was eminently sagacious and practical. He was very courteous in his manners, especially to the female sex. His habits were very simple and he was very faithful to his friends. He had great natural vigor and a magnetic personality that empowered him to exercise great influence over his friends and neighbors all for their benefit and for the benefit of the community at large.

He was one of Peekskill's foremost citizens, insomuch that a great many of the institutions standing to-day are attributed to his conception or to his public-spiritedness to acquiesce with other initiators. The monuments standing to-day to his endeavors are the Peekskill Military Academy and the Westchester County National Bank, of which institutions he was one of the original incorporators.

On the 9th day of February, 1812, he was married by the Rev. Silas Constant to Cornelia Mandeville Hardman, the daughter of John and Dorinda Clark Hardman. To them were born thirteen children, eight sons and five daughters. The fourth child and third son, Thomas Nelson, became distinguished as a jurist; and the latter's son, Thomas Nelson, Jr., is at this writing the President of the Village of Peekskill, and the only survivor of this branch of the Nelson family.

Hon. William Nelson passed away on October 2, 1869, and his body lies buried in the Peekskill Cemetery.

He will ever be remembered as one of the strongest characters ever appearing in the public life of this county, a good specimen of the "old school." His influence was ever exerted for good, and the world in which he was known was made better by his having lived.

On the announcement of his death before the Supreme Court in Westchester County, and on proper motion, a committee of members of the County Bar was named by the presiding Justice to prepare and present to the Court suitable resolutions referring to the great loss the Bar had sustained by his demise; this committee consisted of J. Warren Tompkins, ex-County Judge Robert S Hart, District-Attorney Jackson O. Dykman, Edward R. Wells and Francis Larkin, most of whom had been students in Mr. Nelson's office. At a session of the Supreme Court, Justice Tappen presiding, held on November 22, 1869, the said committee reported appropriate resolutions that were read by Chairman Tompkins, of the committee, and which were adopted by a rising vote, after District-Attorney Dykman, Judge Hart, Francis Larkin and Mr. Tompkins had made addresses pertinent to the occasion. Justice Tappen closed the proceedings by adjourning the Court for the day, out of respect to the memory of the deceased distinguished member of the bar.

WILLIAM H. ROBERTSON.

William H. Robertson, a former Congressman, etc., was born in the town of Bedford, on October 10, 1823, a son of Henry and Huldah (Fanton) Robertson. He was educated in the Union (or Bedford) Academy in his native town. Studied law in the office of Judge Robert S. Hart (the first elected County Judge in this County), in Bedford village, and was admitted to the bar in 1847. In 1853 he formed a partnership with Odle Close, also of Bedford and who also studied with Judge Hart, under the firm name of Close & Robertson, and this partnership continued until Mr. Close's death, on November 19, 1894. They opened an office in Mott Haven, Morrisania; where they remained until after the Civil War, when they removed to White Plains, where their office was ever after held.

His first vote was for Henry Clay for President in 1844. He took interest in politics when only seventeen years of age.

His first office was Town Superintendent of Schools, to which he was elected in 1845; was a Member of Assembly in 1848-49; in 1853 was first elected a State Senator; in 1855 was elected County Judge and twice re-elected, serving twelve years; elected several times as Presidential Elector; elected to Congress in 1866; was State Senator many years, and as often as he desired; was appointed Collector of the Port of New York in 1881; in 1887 he was again elected State Senator, and re-elected, serving until 1892, when he retired. (See biography in volume 1, page 98.)

Mr. Robertson died at his home in Bedford in 1898.

BENJAMIN L. FAIRCHILD.

Benjamin Lewis Fairchild, a former Representative in Congress, was born on January 5, 1863, in Sweden, Monroe County, N. Y., a son of Benjamin and Calista (Schaeffer) Fairchild, and is of English and German descent. The Fairchilds originally settled in Connecticut at an early period, the family name spreading throughout the country from that point. The American ancestor on the maternal side came over in Wolfe's army in Revolutionary days, settled and married in New York, had one child, a son, who also had but one son, Jacob Schaeffer, the grandfather of Benjamin L. Fairchild. The latter's father at the outbreak of the Civil War, enlisted as a private and served through the entire war, at the close of which he had suffered the loss of both property and health. He was severely wounded during the campaign of the Wilderness. This change in circumstances at the close of the war necessitated the removal of the family to Washington, D. C., where Ben, then two years of age, the youngest of three children, was reared and educated. At the age of thirteen he had finished the course in the public schools. For nine years following until 1885 he was employed in Government departments, during which period he completed a business college course. After graduating from the business college, he entered the law department of Columbian University, graduating in 1885 with the degree of LL. M., having previously received the degree of LL. B.; he then resigned his position in the Treasury Department, and was admitted to the Washington Bar.

Desiring a broader field he removed to New York in 1885; after spending a year in the office of Henry C. Andrews, he was admitted to the New York State Bar, in May, 1886. Entering the law office of Ewing & Southard, he became a member of the firm in 1887, under the firm name of Ewing, Southard & Fairchild; General Thomas Ewing, and Hon. Milton I. Southard, the senior members of the firm, being former Representatives in Congress from Ohio; in 1893 Gen. Ewing retired and the firm name became Southard & Fairchild. Mr. Southard having died, Mr. Fairchild is now alone in his law practice, with offices in New York city.

In 1893 he became a resident of Pelham, in this County, where he yet resides and where he owns a considerable quantity of land. To him more than to any other person, probably, Pelham owes its present development into a delightful residential section of the County. Under his immediate supervision home parks were laid out and paved and macadamized streets were constructed, mak-

William H. Robertson

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Ben. L. Fairchild

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ing the town inviting to people seeking choice country homes near New York city.

In 1893 he was an unsuccessful Republican candidate for Delegate to the State Constitutional Convention; he carried Westchester County, but the Democratic majority in the New York city annexed district was too great to be overcome.

In 1894 he was nominated by his party for Representative in Congress. Though the district was normally Democratic, he carried it as a Republican by fifty-five hundred majority over a popular opponent, who was elected two years previously by a majority of sixty-five hundred. His career in Congress reflected honor upon his constituents as well as upon himself, and it was generally regretted when he retired from public life to devote his time solely to his chosen profession.

In the chapter relating to "Members of Congress," commencing on page 94, 97-8-9, reference is made to Mr. Fairchild.

Mr. Fairchild's legal practice at present requires all his time, leaving him not even "spare moments" of relaxation to enjoy the game of polities. Recently the interests of clients called him to Europe, and frequently he is called to serve his clients in all parts of the country.

He was married in February, 1893, to Miss Anna Crumbie, who died in 1902, daughter of the late James and Ann E. Crumbie, an old New York family, and has one child, a son, Franklin Crumbie Fairchild.

WILLIAM L. WARD.

William Lukens Ward, former Representative in Congress, a Republican elector, member of Republican National Committee for State of New York, Chairman Westchester County Republican Committee.

Was born just over the New York State line in the borough of Greenwich, Conn., on September 2, 1856, a son of William E. and Tacy (Lukens) Ward. He was educated at the Friends' Seminary, New York city. He is a Quaker, a man of peace—and peace he will have even if he has to fight for it. His father was born in Camden, N. J.

After securing a good preliminary education, he entered Columbia College. As he was an athlete in his younger days, especially fond of baseball, his abilities were recognized when he entered college. He played on football team during his four years at college.

His father, associated with the firm of Russell, Birdsall & Ward, was extensively engaged in the manufacture of bolts, etc. The son entered his father's factory, and served his time as machinist.

Later in 1882, with the assistance of his father, young Ward, associated with others who like himself had learned the trade in Ward, Sr's factory' started a similar factory in Port Chester. From the start the new factory proved a success and today is a leader in the trade. Mr. Ward has an enviable reputation of being a kind and generous employer; men enter his employment when they are young and remain when they are gray, and until they can work no longer. He is considerate and just, and by being so has earned the high regard of his employes.

Having first demonstrated that he was a good business man, he was entitled in the way of recreation, to turn his attention in another direction. In the early eighties he began taking an active interest in politics. Heretofore he frequently looked at things political as did his father, who was a lifelong Democrat, who opened his residence for the holding of the first Democratic caucus ever held in that locality. The time was, not many years past, when it was quite fashionable to be a Democrat in the town of Rye, when the town gave a majority of three hundred or more to the Democratic party. That this custom has changed is owing greatly to the exertions of the present Mr. Ward.

Mr. Ward became the successor of Mr. Lounsbury and, his ability being recognized by his colleagues on the County Committee, he was rapidly advanced until in 1894 he was chosen to fill the position of chairman of the Westchester County Republican Committee, a place held by Judge-Senator Robertson for about thirty years.

Prior to this, in 1896, he reluctantly consented to become a candi-

date for Congress. One term was sufficient; he declined a re-election; his business, rapidly growing, needed his undivided attention at home. Politics as a recreation might be well enough, but as a business—never. His stay in Congress was pleasant; he was given place on some of the more important committees, and he made many valuable acquaintances of men who are now classed among his most esteemed friends.

In Congress Mr. Ward introduced and had passed the bill for the forty foot channel, now called the Ambrose Channel, in New York Harbor. Public credit has always been given to others, but the records show that Mr. Ward introduced and had passed this important measure.

He was elected a Presidential Elector in 1896.

That he is a member of the National body in his political organization is a special honor justly appreciated by him. He has held this position eight years.

He is not an office seeker for his own benefit, therefore he is a successful political leader. He recognizes the fact that no leader can be a success in Westchester County who tries to further his personal interests. He must absolutely close every avenue that might bring him gain. His strength with the people lies in working for the party and being straight and making his word as good as his bond. Relating to his own position as leader, Mr. Ward recently said in an interview, "In some counties a leader has been successful by imposing upon the loyalty of his friends to advance his own interests, but he has not lasted long. Often my friends have come to me and wanted me to be a director of this or that institution. It is all perfectly legitimate business and I could have made considerable money, but in every case I have refused to have anything to do with them. Another requisite for a leader is that he must have the confidence of the people. It takes time to get this, but after a man proves himself it is his greatest asset."

Mr. Ward practices what he preaches, and proves that a successful business man can be a successful political leader. Certainly the Republicans of Westchester County are fortunate in having him for leader.

Mr. Ward was married September 15, 1880, to Miss Madge Leland, daughter of Warren Leland, of Long Branch. Four children have blessed this union; two sons, Evans and Warren, and two daughters, Dorothy and Winifred. The sons are learning the trade of grandfather and father.

JOHN Q. UNDERHILL.

John Quincy Underhill, a former Congressman, etc., was born in the town of New Rochelle, on February 19, 1848, a son of George W. L. and Julia Ann (Barker) Underhill.

He held numerous political offices in his native town and village.

Was Village Trustee in 1877, and was Village President in 1878 and was re-elected; in 1880 was elected a Town Auditor; for several years was a member of the Board of Education; for ten years was president of Commissioners of Sewers and Drainage of the village of New Rochelle.

Was elected Representative in Congress in 1898.

At the time af his death he was vice-president and treasurer of the Westchester Fire Insurance Company. (See biography, page 232, volume 1.)

Mr. Underhill died May 21, 1907.

CORNELIUS A. PUGSLEY.

Hon. Cornelius Amory Pugsley was born about fifty-five years ago at Peekskill, a thriving Westchester County town, even in the days of the Revolution, when it was a base of supplies and a center for the mobilization of troops for the Continental Army. His maternal grandfather was Cornelius Meeker, a son of Benjamin Meeker (a soldier of the Revolution), and a descendant of William Meeker, a founder of the town of Elizabeth, N. J., who was supposed to have come to Massachusetts Bay about 1630; and his father's American ancestor was James Pugsley, who came from England about 1680 and settled in Pelham Manor, Westchester County. The great-grandfather of Mr. Pugsley, Samuel Pugsley, a

WILLIAM L. WARD

JOHN E. ANDRUS

soldier in the Revolutionary War, married Elizabeth Drake, daughter of Jeremiah Drake, a brother of Colonels Samuel and Gilbert Drake, who commanded Westchester County regiments in the Continental Army.

When a young man, Mr. Pugsley entered the Westchester County National Bank at Peekskill, in a clerical position, and is now President of this well known institution, which is one of the oldest and strongest of the financial institutions in the State. He was made the first chairman of Group VII of the New York Bankers' Association when it was organized, and has twice been elected a member of the Executive Council of the American Bankers' Association, and is well known in banking circles throughout the United States.

Mr. Pugsley is greatly interested in the patriotic work of the Sons of the American Revolution, and has been President of the Empire State Society, S. A. R., and Treasurer-General, Vice-President-General, and President-General of the National Society. He is also an honorary member of the John A. Dix Post, G. A. R., of New York; honorary member of the Harris Light Cavalry Association; a member of the Patria Club, of New York City; of the New England Society, the Chamber of Commerce, of New York, and many other organizations.

At the time of the Tercentenary celebration of the discovery of the Hudson, he was one of the original commissioners, and served upon many of the committees.

Mr. Pugsley has travelled extensively both abroad and in this country. He enjoys an enviable reputation as an orator and after-dinner speaker, and has been the orator of the day at prominent commemorative celebrations, and among the principal speakers at National and State Bankers' conventions and other large gatherings.

While always interested in politics and public affairs, he was never a candidate for office until the fall of 1900, when he was elected to the 57th Congress from the old XVIth District of New York, including his native County, then possibly the largest in point of population of any Congressional district in the United States. Upon the convening of Congress in December, 1901, his ability and knowledge of financial matters was recognized by the Speaker of the House, and he was honored with an appointment on the Banking and Currency Committee. At the close of the Congress, the Speaker referred to him in a magazine article as one of the best informed Democrats in the House on financial matters.

Mr. Pugsley has been a delegate at State conventions; in 1904 he was the choice of his County for nomination as Democratic candidate for Governor, and in 1908 was a delegate to the national convention in Denver, being at that time one of the Eastern men who was prominently mentioned for the Vice-Presidency.

JOHN E. ANDRUS.

John Emory Andrus, Congressman, former Mayor, etc., was born in Pleasantville, this County, on February 16, 1841.

He was fitted for college at Charlotteville Seminary, Schoharie County, N. Y.; was graduated from Wesleyan University, Middletown, Conn., with the degree of A. B. in the class of 1862; taught school in New Jersey for four years.

He came to Yonkers when quite a young man. Engaged in the manufacture of medicinal preparations, which business he still continues in his home city of Yonkers; is president of the New York Pharmaceutical Association and of the Palisade Manufacturing Company; treasurer of the Arlington Chemical Company; trustee of Wesleyan University; treasurer of the Ocean Grove (N. J.) Association; trustee New York Life Insurance Company, and officer in other associations.

Was elected Mayor of Yonkers in 1903; was first elected to Congress in 1904 and re-elected in the years 1906, 1908, 1910, serving in the Fifty-ninth, Sixtieth, Sixty-first and Sixty-second Congresses.

In the Sixty-second Congress, 1911, Congressman Andrus was named as the ranking minority member of the Committee on Public Buildings and also as a member of the Committee on Irrigation.

During his career in Congress he has done much to benefit his constituents. Secured liberal appropria-

tions for river improvements and for erection of Post-office buildings amounting to over a million dollars.

Congressman Andrus is known to be a liberal contributor for the maintenance of public institutions and charities; he is credited with providing funds for the construction of a new principal building for the college from which he was graduated. He has been a large contributor to the Methodist Church building fund and he recently subscribed $50,000 to a fund to aid ministers of the gospel connected with the Methodist Church.

Congressman Andrus' wife died in January, 1910. He has seven children, three sons and four daughters. The eldest son, William, is in business with his father. One daughter is the wife of former State Senator Frederick M. Davenport of Onondaga County, N. Y.

ITEMS OF INTEREST.

The Chamber of Commerce of Westchester County was duly incorporated by certificate signed by a Justice of the Supreme Court, in 1909.

Judges in this County have never worn gowns when sitting on the bench, in fact they have always shown strong aversion to wearing same.

In October, 1911, members of the Westchester County Bar Association presented to Supreme Court Justice Martin J. Keogh a life-like painted portrait of himself. The presentation being made at the home of the Justice, in New Rochelle.

The Westchester County Volunteer Firemen's Association is an active society whose large membership is united for the general good of the firemanic fraternity. It has already lived many years of usefulness.

Washington's first inauguration took place in New York city, and his second in Philadelphia. John Adams in Philadelphia; Jefferson and the Presidents following, elected by the people, were inaugurated in Washington, D. C.

A life-size portrait, painted in oil, of former County Judge Silas D. Gifford, who served from 1872 to 1884, was presented in October, 1911, to the County by his relatives; the portrait is to hang in the County Court Chambers alongside of the portraits of other Judges who sat in that Court.

OUR COURTS, NATIONAL AND STATE.

(*Continued from Volume* 1.)

The Supreme Court of the United States was organized, pursuant to a law enacted by Congress, in the year 1789, known as the Judicial Act, and at first was composed of one Chief Justice and five Associate Justices. Since that time changes have been made in the organization of the Court as necessity has required, and it is now composed of one Chief Justice and nine Associate Justices. All of these judges are appointed by the President, and, with good behavior, hold their respective offices for life; they can be removed by impeachment proceedings only. The Court holds daily sessions, Saturdays and Sundays excepted, in the Capitol building in Washington, D. C., commencing in October of each year and continuing until the month of May, when it adjourns until the ensuing October.

During the first years of its existence, the Supreme Court had but little work to do, and for many years not more than twenty-five cases were pending before it each year; but within the last half of a century the business of the Court has increased enormously. At the present time cases disposed of annually run up into the thousands. The United States Supreme Court stands at the head of the judicial system, and its decisions are final.

The judicial power of this Nation is now vested in one Supreme Court and in such inferior courts as Congress may, from time to time, establish. Under the power thus given to establish courts, Congress has created the Circuit Court of Appeals, the Circuit Court and the District Court, which, speaking generally, comprise our judicial system, but in addition to these there are also the Court of Claims, created by act of Congress in 1891, the Supreme Court of the District of Columbia, the Territorial Courts, the Court of Customs Appeals, and the Commerce Court, created by act of Congress in 1909.

That judges may be secure in their tenure of office and free from all influences which would tend to hinder them in the impartial discharge of their duties, the appointment is for life, provided the incumbent properly performs the duties of his

office. The Constitution also provides that the judges shall receive for their services a compensation which shall not be diminished during their continuance in office. Thus it appears that these two provisions place a judge of a Federal Court in an absolutely independent position, the first giving him practically a life tenure in office, and the second guaranteeing him an income which cannot be diminished.

The suggestion that judges be made subject to "recall," if their views do not coincide with those of the majority, should be defeated most positively.

As the result of the English Revolution of 1688, it was decreed that judges should no longer hold office at the pleasure of the Crown but during good behavior. It was written into the Constitution of the United States that judges should hold office during good behavior. In the State constitutions the same provision is made even when the judges are elected. They hold office for the term for which they were chosen, or during good behavior, and bad behavior is to be determined by the orderly processes of impeachment.

The Federal Courts deal only with cases coming within the scope of the enumeration contained in the second section of the third article of the Constitution, and these courts must not be confused with the courts which form a part of the government of each of the States, in which the ordinary disputes between citizens are settled.

So much has been written in praise of the judicial system of our government that it is difficult to find language which will exceed in the extravagance of its terms the utterances of distinguished writers in Europe and America upon this subject. One writer, in speaking of the United States Supreme Court, says:

"No product of government, either here or elsewhere, has ever approached it in grandeur. Within its appropriate sphere it is absolute authority. From its mandates there is no appeal. Its decree is law. In dignity and moral influence it outranks all other judicial tribunals of the world. No court of either ancient or modern times was ever invested with such high prerogatives. Its jurisdiction extends over sovereign States, as well as the humblest individual. It is armed with the right, as well as the power, to annul in effect the statutes of a State whenever they are directly against the civil rights, the contracts, the currency or the intercourse of the people.

"Secure in the tenure of its judges from the influence of politics and the violence of prejudice and passion, it presents an example of judicial independence unattainable in any of the States and far beyond that of the highest court in England. Its judges are the sworn ministers of the Constitution and are the high priests of justice. Acknowledging no superior, and responsible to their consciences alone, they owe allegiance to the Constitution and to their own exalted sense of duty. No institution of purely human contrivance presents so many features calculated to inspire both veneration and awe."

Another writer on the subject says: "In ancient and mediæval times, the courts of law were instruments of oppression and injustice quite as frequently as they were a protection to the rights of individuals, but in the judicial system of the United States we find that the framers of the Constitution secured results which had before that time existed only in the theoretical and speculative writings of philosophers.

"By the creation of the United States Supreme Court there was effected a practically complete separation of the legislative-executive and judicial departments of the government, a condition to which we have now become so accustomed as to render it difficult for us to realize to what extent the few paragraphs of the Constitution producing this result have excited the admiration of political and philosophical students."

John Jay, who spent his youth and many years of his useful life as a resident of Westchester County, and after his retirement from public office lived (and died) on his estate in Bedford, one of the townships of this county, was the first Chief Justice of the United States, receiving his appointment from President Washington. When Justice Jay resigned, in 1796, to take up diplomatic duties in Europe, President Washington nominated Associate Justice William Cushing, of Massachusetts, to fill the vacancy; Justice Cushing, however, declined the appointment, preferring to remain as Associate Justice to being the Chief Justice. Cushing remained as Justice until 1810.

In looking about for a suitable person to succeed Justice Jay, President Washington selected John Rutledge, of South Carolina. Rutledge had declined in 1789 to accept appointment as an Associate Justice, but later was willing to become Chief Justice. President Washington commissioned him during a recess and he presided over the court at the summer term, but

his nomination was rejected by the Senate the next winter. It would appear that for the reason he would not serve when he was wanted at the early date, the Senate did not want him when he was willing to serve.

Not since Justice Cushing's day, until 1910, has a President nominated an Associate Justice for the Chief Justiceship. Associate Justice Field felt sure that President Cleveland would elevate him, in 1888, to succeed Chief Justice Waite. Instead, President Cleveland selected Melville W. Fuller, who was then 55 years of age.

In 1910 President Taft broke the rule, by advancing an Associate Justice to the Chief Justiceship, when he appointed Associate Justice Edward D. White, of Louisiana, to be Chief Justice. At the time of his last appointment Justice White was sixty-five years of age. In politics the new Chief Justice is classified as a Democrat. Ability, not politics, was considered when President Taft made the selection.

Oliver Ellsworth, of Connecticut, was nominated for Chief Justice, after Rutledge, in 1796, and he served four years. John Marshall, of Virginia, was appointed to this office in 1801, and he held it 31 years; Roger B. Taney, of Maryland, held it 28 years; Solomon P. Chase, of Ohio, held it nine years; Morrison E. Waite, of Ohio, held it 14 years; Melville W. Fuller, of Illinois, held it 22 years.

Of the recent-day judges, Chief Justice Melville W. Fuller, of Illinois, appointed by President Cleveland in 1888, was born in 1833, and served on the bench twenty-two years; Justice John M. Harlan,* of Kentucky, a soldier and statesman, appointed by President Hayes in 1877, was also born in 1833, and is now 77 years of age, and has served thirty-three years on the bench; Justice David J. Brewer, of Kansas, appointed by President Benjamin Harrison in 1889, was born in 1837 and died in 1910, after serving twenty-one years; Justice Edward D. White, of Louisiana, appointed by President Cleveland in 1894, was born in 1845, and has served seventeen years; Justice Rufus W. Peckham, of New York, appointed by President Cleveland in 1895, was born in 1838, died in 1909, after serving fourteen years on the bench; Justice Joseph McKenna, of California, appointed by President McKinley in 1898, was born in 1843, and has served twelve years; Justice Oliver W. Holmes, of Massachusetts, appointed by President Roosevelt in 1902, was born

* Justice Harlan died in October, 1911.

in 1841, has served eight years; Justice William R. Day, of Ohio, appointed by President Roosevelt in 1903, was born in 1849, and has served seven years; Justice William H. Moody, of Massachusetts, appointed by President Roosevelt in 1906, was born in 1853, has served four years.

The terms of Justices Taney, Marshall, David Davis, of New York, and Harlan overlapping, with the exception of a gap of one year in 1835-6, cover the life of the Republic from the end of John Adams's term as President in 1801 to the present day.

It is not strange that every lawyer looks upon a place upon the United States Supreme Court bench as the summit of his profession; that President Taft, who was a Circuit Justice, turned with regret from it when he accepted a place in the Cabinet of President Roosevelt, and that great lawyers who in private practice could earn many times the judicial salary, who are fitted to command and framed to enjoy social amenities of the highest order, are more than willing to devote their time exclusively to the duties of the Court, and that lawyers of the highest standing are frequently mentioned as willing candidates for appointment to this coveted judgeship without thought of the possibility of their refusal to accept.

It has always been the popular assumption that no person has ever declined the offer of the Chief Justiceship. But the popular belief is erroneous. United States Senator Roscoe Conkling, of this State, declined it when offered to him by President Grant in 1874; John G. Carlisle, of Kentucky, at the time he was Speaker of the House of Representatives, declined when President Cleveland offered it to him in 1888.

It is a venerable bench. The average term of United States Supreme Court Justices has been fifteen years, but many have passed that post and continued valuable services for longer periods.

Chief Justice Taney lived to be 89 years old, and served twenty-eight years; Justice Gabriel Duval reached the ripe age of 92 years, serving twenty-five years; Justice William Strong, who was 87 when he died, served ten years; Justice John Marshall died when 80 years old, and after he had served thirty-four years on the bench; Justice Joseph Story, who died aged 86 years, served thirty-four years on the bench; Justice Stephen J. Field served thirty-four years and died in his 83d year; Justice Bushrod Washington served thirty-one years, and died when

89 years old; Justice Noah Swayne died when 80 years old, serving thirty years; Justice William Johnson was on the bench thirty years, dying at the age of 83 years; Justice Samuel Nelson died at the age of 81 years, serving twenty-nine years; Justice MacLean served on the bench thirty-two years, and died at the age of 85. Justice Wayne, who lived to be 87 years old, also served thirty-two years.

As a general rule, an appointment of Justice of the United States Supreme Court by the President is promptly confirmed by the United States Senate, but there has been one or more exceptions. An instance of this kind is recalled; in the year 1894 certain Senators took exceptions to the nomination of a noted lawyer from New York, on political grounds only, claiming that he did not sufficiently represent the political party to which he was credited. The President finally withdrew the nomination and substituted another, taking the latter from a different State.

The death of Justice Rufus W. Peckham, in 1909, left for a time New York State without a Justice on the United States Supreme Court bench.

President Taft, on December 13, 1909, nominated, and the Senate confirmed the appointment of, Horace H. Lurton, of Tennessee, as an Associate Justice, to fill the vacancy caused by the death of Justice Rufus W. Peckham, of New York. Mr. Lurton was born in 1844.

On March 28, 1910, another vacancy occurred, caused by the death, on that day, of David Josiah Brewer, Associate Justice. He was found dead in his bathroom at his home in Washington; physicians announced that he had died suddenly of apoplexy. He was born on June 20, 1837, in Smyrna, Asia Minor, where his father was a pioneer missionary. The family came from Massachusetts; at the time of his appointment he was credited to Kansas.

The full number of Justices is nine, when the bench is full. The death of Justice Brewer reduced the active court to seven; Justice Moody being ill and confined to a hospital. In 1910 Congress passed a special act providing that in case Justice Moody resigned, within a certain period, his full salary be paid him for life.

Chief Justice Melville W. Fuller died in July, 1910, at the age of 77 years. As a general thing, Justices of the United States Court have not been over-burdened with wealth; in fact,

they were never over-paid for their services. Their salary being less than a Supreme Court Justice in our own Ninth Judicial District. Chief Justice Fuller was a wealthy man before his appointment; at his death his estate was estimated to amount to nearly $1,000,000.

President Taft, on April 25, 1910, nominated for an Associate Justice, Charles E. Hughes, then Governor of the State of New York. The Senate promptly confirmed, and Gov. Hughes was appointed. On October 1, 1910, Mr. Hughes resigned the office of Governor and took his place upon the bench. At the time of appointment, Gov. Hughes was 45 years of age.

During the years 1909 and 1910, President Taft named, as well as a Chief Justice, four new Associate Justices, former Governor Hughes, of New York, Mr. Lurton, of Tennessee, Willis Van Devanter, of Wyoming, and Joseph R. Lamar, of Georgia. Lurton, Van Devanter and Lamar, at time of appointment, had already high rank as Judges.

In 1910, Justice Moody, owing to ill-health, was retired with pay by special act of Congress.

In 1911, as reconstituted by President Taft, the Supreme Court of the United States is made up of six nominal Republicans—Harlan, McKenna, Day, Holmes, Hughes and Van Devanter, and three nominal Democrats—White, Lurton and Lamar. Edward D. White, of Louisiana, the new Chief Justice, has been a member of the court since 1894.

While the history of the court shows that partisanship has rarely appeared in its councils, Mr. Taft has revealed in the four selections that he has made and in the elevation of Justice White admirable wisdom and tact in consulting legitimate sectional and political preferences. By conferring the Chief Justiceship upon a Louisiana Democrat he gives to the South the greatest national honor that it has received since the Civil War.

In less than two years it has been President Taft's high privilege to name more members of the court than any other President except Washington and Lincoln.

A new United States Court, to be known as the Commerce Court, was created by act of Congress.

With the appointment, in 1910, of judges who are to preside in this new court the national judiciary, as recently enlarged, became complete.

On the formation of the Government there were only the Supreme Court and the District Courts. For many years the Justices of the Supreme Court acted as Circuit Judges. When this service became burdensome the United States Circuit Court was established, and in time, for the purpose of relieving the Supreme Court still further, the United States Court of Appeals was created, the various Circuit and District Judges presiding. The United States Court of Claims, which sits only in Washington, was founded quite as much for the purpose of removing responsibilities from Congress as to assist the older courts already overloaded.

The Commerce Court and the Court of Customs Appeals are in part the result of a conviction that the regular courts have too much to do and in part a response to the fact that the Interstate Commerce Commission and the Custom House authorities have been exercising too much judicial power. The Judges of the Commerce Court will eventually be Circuit Judges designated by the Supreme Court for this service.

In the Commerce Court the disagreements between railroads and shippers will be heard and settled. To the Court of Customs Appeals will be carried all the differences growing out of the administration of the tariff law that cannot be adjusted elsewhere. Both of these tribunals are charged with duties requiring on their part highly specialized and technical knowledge.

CIRCUIT COURT AND DISTRICT COURTS.

Justices of the Circuit Court of the United States, Second Circuit, of which Westchester County is a part, are as follows:

E. Henry Lacombe, appointed in..... 1887
Alfred C. Coxe, appointed in..... 1902
Henry G. Ward, appointed in..... 1907
Walter C. Noyes, appointed in..... 1907

Justices of the District Court of the United States, Southern District, State of New York, of which Westchester County is a part, are as follows:

George B. Adams (died 1911), appointed in.... 1901
George C. Holt, appointed in..... 1903
Charles M. Hough, appointed in..... 1906
Learned Hand, appointed in..... 1909

Westchester County unites with the counties of New York, Dutchess, Orange, Putnam, Rockland, Greene, Columbia, Ulster and Sullivan in forming the Southern United States Judicial District. Terms of court are held in the General Post-Office building in New York City.

No resident of Westchester County has ever been favored with an appointment as a Justice of this Court; most, if not all, of such appointments made by the President of the United States have gone to residents of New York County.

The salary of the Chief Justice is $13,000 per annum; Associate Justice, $12,500. The salary of a Circuit Justice is $7,000 per annum; the salary of a District Justice is $6,000 per annum; the United States Court of Claims Chief Justice receives $6,500 per annum, and the Associate Justices $6,000.

STATE SUPREME COURT.

(*Continued from page* 37, *Vol.* 1.)

The new Constitution, adopted in 1894, completely changed the judicial system of the State. The most notable changes were its elevation of the Supreme Court in rank; and the lessening of the amount of work thrown upon the Court of Appeals. Thus the Court of Appeals was confined to questions of law, and a new court was created, known as the Appellate Supreme Court, to deal with questions of fact. Justices of the Supreme Court to be designated by the Governor to act as Justices of this Court. The new Constitution provided that this change in the judiciary system should not go in effect until January 1, 1896. The new Constitution made the following important provisions: Providing for the trial of impeachments when preferred by the Legislature or the Governor. This Court of Impeachment will consist of the Lieutenant-Governor, the State Senators and the Court of Appeals.

For a Court of Appeals, consisting of a Chief Judge and six Associate Judges, elected by the people of the whole State, to hold their offices for the term of fourteen years. The salary of the Chief Judge is $10,500, and of the Associate Judges $10,000, with an allowance of $2,000 each for expenses. This Court is to have jurisdiction to hear and determine appeals from the orders or judgments of the Appellate Division of the Supreme Court, and, except where the judgment is of death, it is limited to the review of questions of law.

The Appellate Division, in any department, may allow an appeal upon any question of law which, in its opinion, ought to be reviewed by the Court of Appeals. The Constitution also says: "No unanimous decision of the Appellate Division of the Supreme Court, that there is evidence supporting or tending to sustain a finding of fact, or a verdict not directed by the Court, shall be reviewed by the Court of Appeals, except where the judgment is of death." The Legislature is authorized to further restrict the jurisdiction of the Court and the right to appeal thereto; but the right of appeal is not to depend on the amount involved.

The new Constitution abolished Circuit Courts and Courts of Oyer and Terminer, and provided that after December 31, 1895, their jurisdiction be vested in the Supreme Court. The State, the new Constitution says, is to be divided into four judicial departments. The first, composed of New York County, and the others, to be divided by the Legislature, must be bounded by county lines, and be compact and equal in population as nearly as may be. Judicial departments, according to the Constitution, may be altered once in ten years, but without increasing the number. The Appellate Division of the Supreme Court shall consist of seven Justices in the first department and five in each of the other departments. (Westchester County is in the second department of the Appellate Division.) Under the new Constitution, General Terms of the Supreme Court were abolished and their jurisdiction transferred to the Appellate Division. Justices of the Supreme Court are elected for a term of fourteen years. A Justice whose term of office has been abridged by limitation of age may, with his consent, be assigned by the Governor to any duty in the Supreme Court, while his compensation is continued.

The Constitution of 1894 provided that "the Legislature may erect out of the Second Judicial District as now constituted, another judicial district and apportion the Justices in office between the districts, and provide for the election of additional Justices in the new district not exceeding the limit herein provided." In accordance with this provision, the Ninth Judicial District, of which Westchester County is a part, was erected.

Justices of the Supreme Court are prohibited, by the Constitution, from holding any other office or place of public trust; from exercising any power of appointment to public office, and from practicing as attorney or counsellor, or acting as referee.

They are removable by concurrent resolution of both Houses of the Legislature, if two-thirds of all the members elected to each branch concur therein.

Back of fifty years ago, during the continuance of the former Judicial District (when Westchester County was combined with the County of Kings and other counties composing the district), as a rule Westchester County received little or no consideration when it came to selecting men to fill the office of Justice of the Supreme Court. Up to 1859 Westchester County stood modestly back, and the bigger county of Kings, with delegates to nominating convention overpowering in number, confiscated all the Judgeships. In that year, through the influence of Hon. Thomas Smith, who was then the local Judge, as well as editor and owner of the Yonkers Herald newspaper, and recognized Democratic leader of Yonkers, it was agreed to give Westchester County recognition long delayed. Judge Smith was specially honored by being permitted to name his choice, with the expressed understanding that such choice would be duly ratified. Much to the surprise of the gentleman selected, the Judge named William W. Scrugham, of his own town of Yonkers. The selection was not made on personal grounds, but owing solely to the belief that Mr. Scrugham, who stood well as a representative of the Westchester County bar, was well equipped for the office and would fill the place most acceptably to citizens generally, regardless of politics. The nomination of Mr. Scrugham was made unanimously, Judge Smith presenting his name to the Judicial Convention; his election followed, by a large majority. The writer of this was present when Mr. Scrugham sought an interview with Judge Smith, and heard him tell the Judge that he was under everlasting obligation to him, and to him alone, for his selection as a candidate for Justice of the Supreme Court, and asked why he was so particularly favored, when he had no political claim upon the Judge; it was then that the latter related to Mr. Scrugham the reason for it, of his belief that the people demanded of every political party the nomination of the best men obtainable to hold public office and discharge public trusts; men responsible for nominations should not be influenced by personal considerations; what would serve the people best should be first thought of.

Justice Scrugham's career on the bench justified Judge Smith's good opinion of him. The election of Scrugham was

that of the first Justice of the Supreme Court elected from this county, but not the last. Next came, in 1867, the election of Abraham B. Tappen, of Fordham, and later of Tuckahoe, Yonkers; then followed the first election of Jackson O. Dykman, of White Plains, in 1875, who was re-elected fourteen years later, in 1889; and finally, in the old district, in 1895, came the election of Martin J. Keogh, of New Rochelle, who is still on the bench, having with great credit served fourteen years, and who was unanimously re-elected in 1909 in the new district.

At the termination of Justice Tappen's eight years' term of office, in 1875, he was a candidate to succeed himself; he was renominated by the Democratic Judicial Convention, with every prospect of re-election. From causes not necessary to enumerate, a formidable opposition to Justice Tappen had sprung up within the Democratic party. This opposition, while not powerful enough to prevent Tappen's renomination, was of sufficient strength to justify the holding of a Convention and the nominating of an independent Democratic candidate for Supreme Court Justice. Such a convention was held, in September, 1875, in Brooklyn. Of the willing aspirants, the choice fell upon Jackson O. Dykman, of White Plains, who just previously had served a term as District-Attorney of Westchester County. The Republican Judicial Convention, held nearby, realizing it impossible to elect an out and out Republican, and to encourage Democratic splits on general principles, endorsed the nomination of Mr. Dykman. Then began one of the most exciting and peculiar political campaigns for an important judicial office ever held in this State. Democrats were arraigned against Democrats, and Republicans against Republicans, the latter deciding they could vote as pleased them, both candidates being Democrats. In Yonkers, where Justice Tappen resided, Democratic and Republican leaders agreed to the destroying of Dykman ballots, printed in the old form, that Tappen might receive the total vote of the town; as a result Dykman received but a few scattering votes in Yonkers on election day. In Orange County, where the opposition to Tappen originated, the tactics employed by Tappen's friends in Yonkers were used to help Dykman, particularly in the city of Newburgh, where but few votes for Tappen found their way into the ballot box. The majority for Dykman in Newburgh more than offset the majority for Tappen in Yonkers. After Dykman's election, Tappen

retired from politics, and devoted his time to legal practice and his farm in Tuckahoe.

APPELLATE DIVISION JUSTICES.

Designation of Presiding and Associate Justices for the four Judicial Departments, in which the State is divided, to compose the Appellate Divisions, is made by the Governor, pursuant to section 2, article 6, of the Constitution.

A Justice of the Supreme Court, in any Judicial District, may be assigned to duty in any other Judicial District Court of the State. The Governor may select from any Judicial District, when choosing Justices to become members of an Appellate Division Court. Such selection is considered a special honor by the Justice chosen.

No Justice of the Appellate Division can exercise any of the powers of a Justice of the Supreme Court, other than those of a Justice out of court, and those pertaining to the Appellate Division, or to the hearing and decision of motions submitted by consent of counsel.

The Appellate Court of the Second Department, of which the Ninth Judicial District is a part, is located in Brooklyn.

The Second Department consists of the Second and Ninth Judicial Districts. The Second Judicial District (of which Westchester County was formerly a part) includes the counties of Kings, Queens, Richmond, Suffolk and Nassau. The Ninth Judicial District is composed of counties taken by special act of the Legislature from the Second Judicial District and formed into a separate district, viz.: Westchester, Dutchess, Orange, Rockland and Putnam.

From the date of organization of the Ninth Judicial District, in 1906, to 1909, the Justices comprising the Second Department Appellate Court were, viz.: Michael H. Hirschberg, of the Ninth District, Presiding Justice; John Woodward, Almet F. Jenks, William J. Gaynor, Adelbert P. Rich, Warren B. Hooker and Nathan L. Miller, Associate Justices.

Governor Hughes made an appointment to succeed Justice Hooker, as an Associate Justice, in January, 1909, and other appointments followed when necessary to keep the number up to the required five. The last vacancy was that caused by the resignation of Justice Gaynor, who became Mayor of Greater New York, January 1, 1910.

The Second Department Appellate Division, at the beginning of 1910, was composed as follows: Justice Hirschberg, of Newburgh (in the Ninth Judicial District), presiding, and Associate Justices Almet F. Jenks, Joseph A. Burr and Edward B. Thomas, of Brooklyn, and John Woodward, of Jamestown. (The Governor may select Justices from any section of the State to compose Appellate Courts.)

Official records give the ages of Associate Justices of this Appellate Court to be as follows, in the year 1910: Justice Burr, who was 55 when elected in 1899, is 66 in 1910, and will reach the age limit when his term expires, December 31, 1913. Justice Thomas, who was 58 when elected in 1904, is 64 in 1910; will be 72 years of age when his term expires in 1918. Justice Jenks, who was 45 years of age when last elected, in 1898, is 57 in 1910, and will be 59 when his term expires in 1912. Justice Woodward, whose term expires this year, was but 37 years of age when elected fourteen years ago; was but 51 years old in January, 1911. Chief Justice Hirschberg, whose new term commenced January 1, 1911, was 49 years of age fourteen years ago.

Governor Dix, on January 7, 1911, designated Justice Almet F. Jenks as Presiding Justice of the Appellate Division, of the Second District, and named William J. Carr as an Associate Justice of the Appellate Division. Justice Hirschberg, whom Justice Jenks succeeds as Presiding Justice, was re-elected in the Ninth Judicial District as a Justice in 1910, was, in January, 1911, named by Gov. Dix for Associate Justice, of the same court, for the full term of five years.

NINTH JUDICIAL DISTRICT.

A special act of the State Legislature creating the Ninth Judicial District, composed of the counties of Westchester, Dutchess, Orange, Rockland and Putnam, was passed in 1906* and the first Supreme Court Justices chosen for this new Judicial District were elected at the general election held in November, 1906.

Isaac N. Mills, of Mount Vernon, Westchester County, Arthur S. Tompkins, of Nyack, Rockland County, and Joseph Mors-

*The bill providing for this act was first suggested and drafted by Hon. Theodore H. Silkman, Surrogate of Westchester county, and the bill was introduced in both branches of the Legislature by representatives from this county.

chauser, of Poughkeepsie, Dutchess County, were chosen as Supreme Court Justices, and they, together with Justice Martin J. Keogh, of New Rochelle, Westchester County, and Michael H. Hirschberg, of Newburgh, Orange County, are associated with the new Ninth Judicial District Supreme Court.

The terms of office of the several Justices expire on dates as follows:

Isaac N. Mills.....	December 31, 1920
Arthur S. Tompkins.....	December 31, 1920
Joseph Morschauser	December 31, 1920
Martin J. Keogh.....	December 31, 1923
Michael H. Hirschberg.....	December 31, 1924

Justice Keogh and Justice Hirschberg were transferred from the Second Judicial District to the new Ninth Judicial District, on account of their being residents within counties included in the new district.

Justice Keogh, whose first term expired December 31, 1909, was unanimously renominated by both the Democratic and the Republican political parties, in separate and in joint convention, in 1909, and his election followed, for a term ending December 31, 1923.

Justice Hirschberg was unanimously renominated for Supreme Court Justice, Ninth Judicial District, by both the Republican and the Democratic political parties, and re-elected in 1910.

The Justices of the Ninth Judicial District are all men in the prime and vigor of life, fitted for many years of usefulness. According to official record, in 1910, as the age has to be stated when filing oath of office, Justice Hirschberg is entering his 63d year; Justice Keogh was, on January 1, 57 years of age; Justice Mills is in his 58th year; Justice Morschauser owns up to 46, and is proud of it; and Justice Tompkins, the youngest of the number, is close on to 44 years of age.

The Judiciary of the Ninth District has been everywhere spoken of in terms that make residents of the district proud. It is admitted that no collusion or fraud can stand before our Judiciary.

This is the character that causes capital to seek employment here; this is the character that gives security to our rights, and value to our property; and to these combined causes are to be attributed a large portion of the flowing prosperity that is felt throughout every portion of the Judicial District.

The salaries of the Justices were made $6,000 per annum; besides which they receive an annual allowance of $1,200 each for expenses (except in the First District). The Justices of the Second District each receive an additional annual allowance of $10,300, which amount is levied on the counties in said district by the State Comptroller. The total salary received by each Justice in the Second District being $17,500 per annum.

The law regulating the salary of a Supreme Court Justice in the Second Judicial District (which was divided to make the Ninth Judicial District) was made applicable to the new (the Ninth) district. Therefore the Justices in this latter Judicial District also receive a salary of $17,500 per annum each.

The salary of a confidential clerk, to each Justice, is fixed at $2,500 per annum.

The business transacted in the local Supreme Court has grown rapidly. It was not many years ago that the Supreme Court sitting in this county held but four terms a year, each term lasting about three weeks. The increasing legal business of the county, together with that contributed by the nearby large cities, made it necessary for the creation of a new Judicial District and the providing of more Judges. As a result, we have the Ninth Judicial District Supreme Courts, ready and able to dispatch all business presented. Two trial parts have been established in the county, giving eighteen terms of court of four weeks each, with four terms of Special Term for trials, in addition to Special Term days on Saturday for the hearing of motions.

The naturalization of aliens, presided over by a Supreme Court Justice, is under the supervision of the United States Government.

COUNTY COURT.

(*Continued from page* 100, *Vol.* 1.)

On the erection of the County of Westchester, in 1683, Westchester, in the southern section of the county, was made the County Town by an act of the General Assembly, passed in October of that year, which act directed that Courts of Sessions for the county should be held on the first Tuesday of June and December, one to be held in the village of Westchester and the other in the village of Eastchester. On the first Wednesday of December a "Court of Oyer and Terminer and general jail delivery" was to be held.

From official records it is learned that the first Court of Sessions in this county was held on June 3, 1684.

John Pell, of Pelham, was, in 1684, appointed the first County Judge and he continued in office until 1693, when he was succeeded by Caleb Heathcote, of Mamaroneck, who served until 1721; William Willett, of Harrison, served to 1732; Frederick Philipse, of Yonkers, to 1734; Israel Honeywell, of Yonkers, from 1734 to 1737, and 1740 to 1743, and who were followed in succession by others, as shown on page 100, volume 1.

Westchester continued to be the county seat until November 6, 1759, when the last session of the Court of Common Pleas was held there.

The Court House in Westchester was destroyed by fire on February 4, 1758. Recognizing the necessity of locating the County Court House in a locality more central, it was decided not to rebuild the Court House in Westchester village. To secure proper authority to designate a new "shire town" and construct a new Court House, the General Assembly was appealed to. On December 16, 1758, the following legislative act was passed:

"An Act to empower the Justices of the Peace and Aldermen of the Borough of Westchester, in Conjunction with the Supervisors of Westchester County, to ascertain and fix a place for erecting a new Court and a new Court House and gaol for the said county; and for raising a sum not exceeding one thousand pounds, on the estates, real and personal, of all the freeholders and inhabitants of the said county, for and towards erecting the said Court House and gaol."

White Plains village was selected as the county seat, principally through the efforts of Dr. Robert Graham, who was Supervisor of White Plains and later a County Judge. He gave to the county the site, on Broadway, White Plains, upon which the Court House was erected. (See page 33, volume 1.)

On November 5, 1776, at midnight, a party of disorderly persons, said to be "straggling" followers of the American Army, set fire to this Court House, more for the fun of seeing it burn than for anything else. Fortunately the records of the Courts and of the Provisional Convention were removed previous to the Court House being destroyed.

Courts were held during the Revolutionary War period in the Presbyterian Church in Bedford, until the destruction of the church building by the British in 1779. From latter date

courts were held in the meeting house in Upper Salem, until 1784.

The General Assembly, on April 11, 1785, passed an act ordering that sessions of the courts be held in the Presbyterian meeting house in Bedford, until the Court House should be rebuilt, or until further orders of the General Assembly. An act passed May 1, 1786, by the General Assembly, authorized the erection of Court Houses in both White Plains and Bedford, and eighteen hundred pounds was appropriated for the purpose. Stephen Ward, Thomas Thomas, Ebenezer Purdy, Richard Hatfield, Ebenezer Lockwood, Jonathan G. Tompkins and Richard Sackett, Jr., were named as a committee to superintend the construction.

The first session of the County Court was held in Bedford Court House on January 28, 1788, and a session was held in White Plains on May 26, same year. For many years courts were held alternately at these places.

The site of the second Court House in White Plains is now occupied by the Armory of the local State Militia company.

The third Court House in White Plains, was erected on Railroad Avenue, in that village, in 1857, at a cost of nearly $150,000. In 1894 a wing was added on the west side, to be used as a "hall of records," at a cost of about $40,000. (See page 36, volume 1.)

In 1910 was completed additions to the original building that nearly doubled its size, the cost of new work reaching nearly $700,000.

The new Constitution of the State abolished the office of Justice of Sessions and consolidated the County Court and the County Court of Sessions under the title of County Court. The final sitting of the Westchester County Court of Sessions was held on December 31, 1895.

Four courts, three Supreme and a County Court, are in almost constant session in the County. The Surrogate's Court is held on four days weekly during the year, excepting the month of August.

The County Court, in 1890, held only four terms a year, with an average of twenty-five cases on the calendar for a term, no term lasting more than four weeks. Now the County Court sessions are almost continuous, excepting the summer vacation season, and frequently the increase in business requires the

running of one term into the next, and the number of cases on the term calendar has increased at the rate of six to one.

County Courts are continued by the new Constitution with original jurisdiction in actions for the recovery of money only where the defendants reside in the county, and in which the complainant demands judgment for a sum not exceeding $2,000. The Legislature is given the power to enlarge or restrict the jurisdiction of the County Courts, but not beyond the limit of $2,000. County Judges are to hold their offices for six years. Under the Constitution, which went into effect January 1, 1896, Courts of Sessions were abolished, except in the county of New York. Kings County is authorized to have two County Judges.

The Legislature may, on application of the Board of Supervisors, provide for the election of a local officer to discharge the duties of County Judge, in case of inability or of a vacancy, and in such other cases as may be provided by law, and to exercise such other powers in special cases as are or may be provided by law. No County Judge shall hold office longer than until and including the last day of December next after he shall arrive at seventy years of age. Vacancies occurring in the office of County Judge shall be filled in the same manner as like vacancies occurring in the Supreme Court. The compensation of any County Judge shall not be increased or diminished during his term of office. His salary is established by act of the Legislature, and is made payable out of the County Treasury. A County Judge of any county may hold County Courts in any other county when requested by the Judge of such other county. The County Judge of Westchester County is prohibited from practicing as an attorney or counselor in any court of record of this State, or act as referee, as the county has a population exceeding one hundred and twenty thousand.

The salary of the present County Judge of Westchester County is $10,000 per annum, as fixed by special act of the Legislature; Laws of 1907, chap. 256. The salary was formerly $7,500 per annum, fixed by the Legislature; Laws of 1901, chap. 584.

The State Legislature passed a special act in 1903, chap. 601, authorizing the County Judge of Westchester County to appoint a Court Crier, at a fixed compensation of $1,200 per annum, to be paid in monthly installments by the County Treasurer.

The following named residents of the county, in addition to those mentioned in volume one, have held this office:

Smith Lent, Sing Sing, 1896 to 1902.

William P. Platt, White Plains, 1902 to 1908; re-elected and served from 1908, now acting.

Present Clerk of Court, Gerald Fitzgerald; Stenographer, William L. Milligan.

SURROGATE'S COURT.

(*Continued from page* 101, *Vol.* 1.)

The State Constitution, adopted in 1894, provides that the Surrogate and Surrogate's Courts shall have the jurisdiction and powers which the Surrogate and Surrogate's Courts formerly possessed, until otherwise provided by the Legislature. The County Judge shall be Surrogate of his county except where a separate Surrogate has been elected (as in Westchester County). In counties having a population exceeding forty thousand, wherein there is no separate Surrogate, the Legislature may provide for the election of a separate officer to be Surrogate, whose term of office shall be six years. When the Surrogate shall be elected as a separate officer his salary shall be established by law, payable out of the County Treasury. No County Judge or Surrogate shall hold office longer than until and including the last day of December next after he shall be seventy years of age. Vacancies occurring in the office of Surrogate shall be filled in the same manner as like vacancies occurring in the Supreme Court. The compensation of any Surrogate shall not be increased or diminished during his term of office. For the relief of Surrogate's Courts the Legislature may confer upon the Supreme Court in any county having a population exceeding four hundred thousand, the powers and jurisdiction of Surrogates, with authority to try issues of fact by jury in probate cases.

The Legislature may, on application of the Board of Supervisors, provide for the election of local officers, not to exceed two in any county, to discharge the duties of Surrogate, in case of inability or of a vacancy, and in such cases as may be provided by law, and to exercise such other powers in special cases as are or may be provided by law.

Arthur P. Gorman

Joseph Morschhauser

William P. Platt.

Frank V. Millard

Prior to 1846 Surrogates for Westchester County were appointed; the first elected Surrogate of this county entered upon his duties January 1, 1848. By special act of the Legislature, passed April 10, 1833, the office and court of the Surrogate was established in the County Court House in the village of White Plains, to which place the same were removed on May 10, 1833.

By an act of the Legislature, passed May 27, 1889, the salary of the Surrogate was fixed at $6,000 per annum. By special act of the Legislature, passed May 10, 1906, the salary was fixed at $7,500 per annum, as it is now. The term of office is six years.

Regular terms of this Court are held in White Plains. Special term is held in Yonkers every Wednesday and in Peekskill the fourth Thursday in each month. No regular Court is held during July, August and September.

In addition to the names already given (in volume one) the following named residents have held this office in this county:

Theodore H. Silkman, of Yonkers, for twelve years, from 1895 to 1907 (died August 22, 1910).

Frank V. Millard, of Tarrytown, from 1907, now acting.

OFFICIAL STAFF OF THE SURROGATE'S COURT.

Frank E. Clark, Chief Clerk; David S. Murden, Deputy Clerk; George H. Peene, Record Clerk; Wallace Dutcher, Chief Recording Clerk; Louis A. Houghtaling, Assistant Recording Clerk; Alfred Pendorf, Index and Accounting Clerk; James H. Howorth, Office Stenographer and Clerk; J. Flanagan, Court Stenographer; William T. Ferguson, Solomon D. Oakley and Timothy Dwyer, Court Officers.

Anson Baldwin, of Yonkers, in 1911 resigned the Chief Clerkship he had held since 1902.

Biographical Sketches.

Hon. MARTIN J. KEOGH.

Martin Jerome Keogh, Justice of the Supreme Court, was born in Ireland, the land which has produced so many of our substantial and honored citizens, a son of John and Margaret Keogh, in the year 1853. His parents died when he was quite young and he became a charge of an uncle; to his own labor is due the good education he has; the lad's independent nature caused him to "strike out for himself" as soon as the opportunity afforded. The young student read much of American history, and his reading created in him a desire to be in the "new country" that offered so many advantages to the industrious ambitious. Impatiently he waited an opportunity, which came in his early manhood. He was not overburdened with worldly goods

when he landed on the American shore, but he did possess what was greater than riches, the vigor of youth and a determination to succeed, regardless of obstacles. He was virtually friendless in a strange country; he brought no letters of introduction to influential residents; his only recommendation was an honest face and an evident determination to "make good," if given a chance.

Possessed of a bright intellect, reinforced by quick native wit and a jovial, happy disposition, he made friends of all with whom he came in contact.

Willing to do whatever his hands found to do, he was employed in various capacities, until new acquaintances, becoming aware of possibilities in his connection, recommended to him that he devote some of his time to legal study. As a result of this kindly advice, he spent all the time possible outside of his daily labor in other directions, to the mysteries of the law; he worked as a newspaper reporter, or in store or shop, in the day time and at night after he had retired to his humble hall room he studied, as the midnight oil burned. The money he earned "in trade" he carefully saved, after paying his slight expenses. In due course of time he was able to enter the New York University Law School, from which he graduated in 1875, with high honors and the degree of LL.B.; in 1906 the degree of LL.D. was conferred upon him.

The same year he graduated from Law School he became a resident of New Rochelle, where he began the practice of his profession as a partner in the firm of Banks & Keogh. On Mr. Banks being elected County Register, this partnership was dissolved the first part of January, 1878. For a time Mr. Keogh continued alone. Later he became associated with John W. Boothby, under the firm name of Keogh & Boothby, with offices in New Rochelle and Port Chester. At the dissolution of this latter partnership, Mr. Keogh conducted business on his own account, having offices in New York City and New Rochelle.

He for a period served as Corporation Counsel of the village of New Rochelle, but soon found that his rapidly increasing law practice would debar him from public office holding.

He was always regarded as an eminently safe counsellor and an exceedingly effective practitioner at the bar. As a criminal lawyer, he had few equals in the State, and justly gained an enviable State-wide reputation. Before a jury no man was stronger or more convincing. His personal appearance and manner were calculated to impress a jury as but few pleaders are able to do. Of commanding height, erect carriage and piercing eye, and with a countenance expressing intelligence and confidence, when he arose for a forensic effort, not even his youth could prevent a stranger from expecting a superior display of oratorical ability and legal acumen. And no disappointment followed. His voice swelled full and clear, his statements of fact were concentrated, earnest and plain, and as he warmed with his subject, he would become impressive and fervent, playing upon the sympathies and passions of listeners with a master hand.

Such marked talents necessarily commended their possessor for political preferment.

In 1892 Mr. Keogh was elected on the Democratic ticket as a Presidential Elector, and he had the pleasure as well as the honor of casting in the Electoral College a ballot for Grover Cleveland for President, a man for whom he had the highest regard.

The opportunity to satisfy the ambition of the average lawyer, and the lawyer above the average, to reach the Supreme Court bench, came to him unsought in 1895, when he was prevailed upon to accept the Democratic nomination for Supreme Court Justice, for the Second Judicial District. General satisfaction was expressed by members of the bar throughout the judicial district, and members of all political parties rallied to ensure his election. Though the election was held in a year when the opposing political party was generally successful, and some of the Republican candidates for the Supreme Court Justiceship were chosen in this district, Mr. Keogh, more successful than others on his ticket, was not carried under by the "landslide;" he was chosen by a hand-

some majority, proving that he had been liberally supplied with all kinds of votes, testifying to his well earned popularity.

At the time of his election, Mr. Keogh was the acknowledged leader of the Westchester County bar, and had been president of the County Bar Association. To accept the position on the Bench he relinquished an extensive business paying yearly many times more than the salary he would receive; beside his general practice, he was attorney for valuable estates.

In the able discharge of duties as a Justice, from the very beginning of his career, he justified the trust placed in him by the action of the people who elected him. His just treatment of advocate and client increased the regard entertained for him. He took first rank as a jurist, and not only were his services desired in his own district, but he was very frequently, by special request of those interested, assigned to preside in courts of the First Judicial District, New York city; had he so desired, he could have been assigned by the Governor to serve as a member of the Appellate Division.

His fame as a Justice had the effect, not long after his ascending the bench, of bringing his name prominently before the public as the possible Democratic candidate for Governor. While he fully appreciated the good intentions of friends, he made it known that his name should not be considered as that of an aspirant for the Gubernatorial nomination; he was content to remain where the people had placed him—on the bench. Again, in 1910, he was urged by enthusiastic friends from all parts of the State to accept the Democratic nomination for Governor, and his name was presented to the State Convention held at Rochester; again he sent the same answer—his work had been laid out for him and he would remain true and serve the people where best he could.

Justice Keogh's second election, in 1909, for another term of fourteen years, and especially the voluntary manner in which it was brought about, all political parties competing to do him honor, was a great compliment to him; particularly so, as it was the first time that both the principal political parties united in this vicinity to accord any person a joint nomination.

As if to prove further what we have here asserted, that Justice Keogh's fame is State-wide, and his popularity even broader, not confined to a locality, like a "Pent up Utica," comes this statement of fact: From January 16 to March 30, 1911, the Democratic Legislature, in session in Albany, was in a "deadlock" over the choice of a United States Senator to represent this State, who was to enter upon his duties on April 5, following. A compromise candidate for the position was found necessary; a meeting of Democratic leaders was held in New York city on March 29; many names were proposed, but none proved acceptable until the name of Justice Keogh was suggested. Against him no protest came; he was in no way allied with "the undesirable interests," was connected with no party faction, and in all ways he was deemed clean and upright; he was decided upon as the man of the hour, whose selection would appeal to all Democrats, "regulars," "insurgents," or by whatever name they may be called. There was no question as to whether the amiable Justice would accept an honor to reach which is the ambition of all men in public life. The Justice was seeking a few days' rest in Hot Springs, Va.; a telegram was sent asking him to accept. True, the temptation was great; but the Justice's usual good judgment told him that the high prize was not for him at this time, his obligations lay in another direction; though the insured honor was enough to entice any man, he proved strong enough to put it off, and remain in the judicial position which he so ably fills, which is congenial to him and in which he gives satisfaction to the people.

Justice Keogh's declination of the position of United States Senator calls to mind the remark of a noted English celebrity, that "no man can be a good lawyer and a good statesman." Justice Keogh is a good lawyer, and this he decided to remain, and continue to give the people of this Judicial District, as usual, his best service as a Judge.

We have here spoken of Justice

Keogh as we knew him in the days when he first began practice, exerting his magnetic influences; to-day we know him as meeting to the full the expectations of his many admirers. Possessing that old-time vigor and spirit, tall, erect, manly, well-proportioned, his jet-black hair tinged with grey, and a strong face denoting unusual decision of character and marked ability. His manner and general bearing—kind, courteous and agreeable to all with whom he comes in contact—is equally captivating, and all combined, contribute to render him a leader among his peers.

Before going upon the bench Mr. Keogh had the signal distinction of being retained on one side or the other in every important suit, civil and criminal, which came up in the county, and, what is more remarkable, his practice was confined especially to neither.

He defended almost every capital case which was tried in the county while he was at the bar, and, as he puts it, his clients were all innocent and were consequently acquitted.

He established in Westchester County, for the benefit of the poor people, a Legal Aid Society, and he gets the leading lawyers of the county to take turns in giving legal advice to people who are too poor to pay a lawyer. This Legal Aid Society also gives instruction to applicants for citizenship in our system of government and has translated into Italian, most interesting and instructive, a collection of questions and answers on subjects connected with our republican form of government.

The New Rochelle People's Forum, which has attracted so much attention, was the sole work of Judge Keogh. Its success has been phenomenal, and the discussions before the forum have attracted the greatest attention throughout the country.

Judge Keogh married Katharine Temple Emmet, the great-granddaughter of Thomas Addis Emmet and the great niece of the illustrious Robert Emmet. Of this union there are nine children. Justice Keogh by a former marriage has two sons, Alexander Keogh, aged 29 years, who was an Assistant under District-Attorney Jerome of New York, and is now a Civil Service Commissioner of the latter city, and Martin J. Keogh, Jr., aged 25 years, a lawyer.

Hon. ARTHUR S. TOMPKINS.

Arthur Sidney Tompkins, a Justice of the Supreme Court, for this the Ninth Judicial District, was born on August 26, 1865, in Middleburgh, Schoharie County, N. Y., a son of Sidney B. and Mary H. (Yocom) Tompkins. When he was about one year old his parents removed to Clarkstown in Rockland County, and since then he has been a resident of that county with the exception of the period he spent in Tarrytown, Westchester County, as a student in the law office of Henry C. Griffin, Esq.

He attended the Clarkstown and Nyack public schools. At the age of 14 years he left school and went to work; was employed two years in a dry-goods store. He then took up the study of law and continued it in the offices of Seth B. Cole, Esq., and Hon. Abram A. Demarest, of Nyack, and Henry C. Griffin, Esq., of Tarrytown. He was admitted to the bar in 1886 and has ever since been engaged in active practice.

Judge Tompkins, though not a son by birth, is a son of Westchester County by adoption, so to speak; his former abode in this county, his marriage to a daughter of this county, and his wide acquaintance and popularity with residents of our county makes him "one of us." That he was unfortunate in not having been born in Westchester County is no particular fault of his own, and this fact of his being born elsewhere should not be considered as a point against him, especially as he was very young when born and not of a "deciding mind," and because he assures us that if he had it to do over again he might choose our county, though he loves Rockland County, and good old Schoharie, the land of Democratic principles, is not the worst county to be born in.

Rockland County, the Judge's present place of residence, was allied with Westchester County for many years in the formation of a political division of the State, and on account of its intertwined business interests, has been recognized as a close relative of the larger county. The Judge's mingling with us and his association

with our best interests led to his being numbered as of us. Therefor when admirers of Judge Tompkins spoke of the young jurist as "a Westchester County boy," there were but few who would want to gainsay it. His position as a Supreme Court Justice with jurisdiction over this county, and the frequency of his holding court in our county, furnish other links in the chain that binds him to us.

As a man possessing all the attributes of relationship, Judge Tompkins is here considered as a son and given a place in Westchester County's annals.

The author of this Manual who, with considerable pride, watched through the years his successes and justly earned advancement in reaching the goal of a lawyer's ambition, knew Judge Tompkins in his early youth, as one possessed of no ordinary cleverness, of marked intelligence, predicting a successful career in whatever vocation of life he chose to follow. Studious in habits, possessed of essential integrity, loyalty to principles, and determination to overcome obstacles and win success honestly, were foundations of his well-formed character, and composed his stock in trade, that proved more effective as business capital than would, probably, money acquired from wealthy relatives, who were to him "few and far between." He early realized that to get along and satisfy an honorable ambition, he had to depend principally upon himself, upon his own exertions, that he had to be the "architect of his own fortune," as it were. How he did it, how he is deserving of all honors credited to him, furnishes an object-lesson to other youths similarly situated at the starting.

His genial disposition and courteous manners, even as a boy, demanded kind regard; therefor it is not strange that, when yet a youth, he was elected to an important judicial office as a candidate of a minority political party. His charming personality secured for him votes where political considerations failed. When he ran for the higher office of Supreme Court Justice, in 1906, he still retained the same magnetic power that drew forth the votes of men of all political faiths, and secured for him a larger majority, throughout this Judicial District, than any of his associate candidates. To-day he possesses the high regard of all his fellow Judges in the State, and the unsurpassed confidence of all practicing members of the bar.

Hon. Alonzo Wheeler, the Dean of the Rockland County bar, in 1902, wrote his opinion of the subject of this sketch, for the Rockland County history, so ably and so in touch with our views, that we quote from same, as follows:

"In every commonwealth there have arisen men whose experiences have been phenomenal, men to whom success has taken kindly at the very beginning. And this not by reason of the favor of fickle fortune which has pursued the man, but because the man from the outset has asserted his right and his determination to succeed, and has then simply proceeded in the use of the appointed means to achieve the desired success. Such a man is Arthur S. Tompkins. Although Judge Tompkins is one of the younger members of the County Bar, special reference is given to him here because it follows naturally the mention above made of him as County Judge. In 1887 he was elected Police Justice of the Village of Nyack. He manifested an aptness for political life, and was elected to the Assembly as a Republican in a Democratic county, in 1889. In 1893 he became the Republican candidate for County Judge and Surrogate, and was elected. In 1898 he was elected a Representative in Congress, and following his election resigned from the Judgeship. In 1900, he was again elected to Congress, and is at this writing serving his second term. He is favorably spoken of as a candidate for the Supreme Court Bench and his peculiar fitness for that honorable and responsible position is not questionable, but is cheerfully admitted by his brethren in his legal profession. We have said that the people very soon recognize real merit and true worth, but it is not often that the members of a profession will with one accord admit and proclaim the existence of these qualities in one of its own number. However, in this regard, the legal profession differs from other professions. The spirit of fairness

and liberality prevails in this profession to a greater extent than in any other, and we are sure that the subject of this sketch realizes and appreciates the fact that the Bar of Rockland County accords to him a position foremost among all its members, and is proud of the lustre of his brilliant record, and of the prominence which is his because he has earned it, not only in his sphere of action in his own county, but everywhere where his services have been required.

"Blessed with a good constitution and splendid physique, he possesses the ability and strength which have enabled him to succeed in every undertaking. Besides the duties of his Congressional and professional life, his presence is demanded and his voice is heard frequently upon civic and social occasions. As a trial lawyer Judge Tompkins has no superior and few equals in the Judicial District within which his labors are principally confined. In the examination of witnesses he is shrewd, alert, and incisive. In argument to a jury he is a marvel of freshness, simplicity and power. He always knows his juror and talks to him. His arguments are replete with illustrations which find their duplicate in the experiences of the individual juror. History, poetry and anecdote are brought into requisition by this master of the legal art, and all are blended in a production of argument, appeal, pathos, denunciation and eloquence which are sure to win a good case and save a poor one from utter destruction. And with all this rare and brilliant experience, Judge Tompkins is still a young man, and with the continuance of health and strength is surely destined to accomplish vastly more than he has already achieved in the successes of the past and present."

Judge Tompkins' nomination as a candidate for Justice of the Supreme Court for the recently created Ninth Judicial District, composed of the counties of Westchester, Dutchess, Orange, Rockland and Putnam, was made unanimously in the convention held in White Plains, in this county, in the summer of 1906, and his election followed, he leading his associates on the ticket in the voting, as his popularity suggested he would do.

From the beginning of his practice he has been a successful lawyer, and for some years past and until his elevation to the Supreme Court Bench, the acknowledged leader of the Rockland County Bar. His work as a trial lawyer was large, covering the counties of Rockland, Orange, Ulster, Dutchess, Westchester, New York and Kings, in many instances trying cases as counsel for other lawyers. He was regarded as one of the best trial lawyers along the Hudson River.

He has also an enviable reputation as a ready speaker, logical and witty, making him in constant demand for orations and addresses, on various subjects, throughout the State. He delivered the address at the dedication of the monument to General Kilpatrick at West Point, N. Y., and at the opening of the Stony Point Reservation was one of the orators, and has been orator on many other occasions.

With all his political activity and varied law practice, he has always been very popular in the county and outside of the county where he is known. No worthy appeal for help was ever made to him in vain. There are hundreds of instances where he has aided those in need, and especially young men who have been struggling for a start in life. He has always been the friend of and a sympathizer with the working man—always willing to respond to any demand that might be made upon him. Having himself come up from the ranks and accomplished what he has by the hardest kind of work, perseverance and industry, he appreciates and understands the difficulties and embarrassments of those who from the beginning struggle for success in life.

Judge Tompkins has always been very active in fraternal organizations, having been District Deputy Grand Master of Free and Accepted Masons, and a member of the branches of that order; for several years was a representative and prominent officer in the Grand Lodge of the Independent Order of Odd Fellows of the State of New York, and has been Grand Master of the same order. He is also a member, and has been a prominent officer, of

the Benevolent and Protective Order of Elks, and a favorite orator at functions of this order; and a member of the Foresters of America, Knights of Pythias, Improved Order of Red Men, and other similar societies, as well as social organizations. Is president of the Nyack Board of Education, a member and trustee of the First Baptist Church of Nyack, a director of the Rockland County Trust Company, and a member and director of the Young Men's Christian Association of Nyack.

Fordham University, New York City, at its sixty-fifth annual commencement, held in June, 1910, conferred upon Justice Tompkins the honorary degree of Doctor of Laws.

On invitation of the committee appointed by the Supreme Court and Surrogate's Court, Justice Tompkins delivered the principal oration at the special services held in memory of the late Hon. Theodore Hannibal Silkman, former Surrogate of Westchester County, at the County Court House in White Plains, November 18, 1910.

Justice Tompkins, who was assigned by the Appellate Division for December, 1910, to the criminal department in the City of New York, was, at the end of the term, presented by members of the New York December panel of jurors with a handsome rosewood gavel, mounted with silver, in recognition of the Justice's ability and well-known courtesies. The gavel was inscribed with the Justice's name, date, and the names of the jurors.

On January 26, 1911, Justice Tompkins found awaiting him at his hotel, in White Plains, a large bouquet of flowers, the gift of a panel of Westchester County jurors drawn to serve during a murder trial, to express to the Justice the jurors' appreciation of many acts of kindness shown by him to them throughout a prolonged trial.

To accommodate resident lawyers, and other members of the bar, Justice Tompkins, in the spring of 1911, voluntarily began holding special sessions of the Supreme Court in Yonkers on Saturdays. Because he did this, which was not required of him, he received a vote of thanks at a public meeting of members of the bar residing in Yonkers.

Justice Tompkins was orator at Memorial Day exercises of the G. A. R., in Yonkers, May, 1911.

Gov. Dix assigned Justice Tompkins to preside over several criminal terms of the Supreme Court, First Judicial District, New York city.

He was married on May 18, 1889, to Miss Jeanie C. Logan, daughter of James and Hannah Logan, of Tarrytown, in this county. Two children were born of the union and are alive. The family residence is in the village of Nyack.

Hon. JOSEPH MORSCHAUSER.

When Joseph Morschauser, then a newly elected Justice of the Supreme Court, began his judicial duties in Westchester County, in the early part of 1907, he was comparatively a stranger to the people of the county.

He had been a successful practicing attorney in the city of Poughkeepsie for more than twenty years, and had filled successively the offices of Justice of the Peace, Recorder and City Judge in Poughkeepsie, attaining among the lawyers of that community a distinction which won for him the Republican nomination and election to the Supreme Court bench in the Ninth Judicial District.

Judge Morschauser had presided in the courts of Westchester County but a very short time before he had commanded the confidence and affection of the members of the bar and the good opinion of all who came in contact with him. He soon came to be known as an honest, capable, and sympathetic, yet dignified, Judge, a student of the law and of human nature, and a man of great feeling and tenderness of heart. As the people of Westchester County learned more of Judge Morschauser, they were better able to understand the reason for his popularity and success in the community where he had spent his life and which gave him to the bench of this district.

Born of sturdy, thrifty German parentage on a farm a few miles from Poughkeepsie in 1863, and learning, as a poor, hard-working boy, the great lesson of industry and self-reliance, Joseph Morschauser received from his father and mother an upright character, vigorous intellect,

robust physique and consuming ambition.

Desiring to become a lawyer, he left the farm, went to work in the city, earned the money which paid for his schooling, and in three years had met the educational tests which enabled him to begin the study of law in the office of County Judge Daniel W. Guernsey. In 1884 he was admitted to the bar, and one of the three examiners, appointed by the late Justice Barnard, of Poughkeepsie, who passed on the young man's qualifications, was the Hon. Isaac N. Mills, who, at a subsequent date, was nominated for Supreme Court Justice on the same ticket with Joseph Morschauser.

During the twenty-three years in which he was engaged in the practice of law in the courts of Dutchess County, Judge Morschauser took part in the most important litigations and was highly successful in winning judgments for his clients. A born fighter and indefatigable worker, he never went into court without having his case thoroughly prepared, and it was seldom that an adversary was able to surprise him. If there were surprises, they were usually in favor of his client, for Joseph Morschauser knew every strong point in his own case and every weakness of his opponent.

In 1884 he was elected Justice of the Peace in Poughkeepsie, and, after two terms, was elected Recorder of the city, an office in which he was brought intimately into contact with all phases of human nature, and in which he was immensely successful in dealing wisely and justly with the great variety of cases that came before him every day.

When the social evil in Poughkeepsie made it necessary for him to choose between the citizens who had taken a stand for law and order and the element who were profiting from the evil, with their powerful and threatening friends, Judge Morschauser strictly enforced the law and sent the dive-keepers to jail.

Later, the office of Recorder was changed by the Legislature to City Judge, but without change in the incumbent, and Judge Morschauser was successfully occupying that office when, in 1906, he was called to the more important duties and broader popularity of the Supreme Court.

The Fordham University, at its sixty-fifth annual commencement, held in June, 1910, conferred upon Justice Morschauser the honorary degree of Doctor of Laws.

The parents of Judge Morschauser were Joseph and Henrietta (Rotman) Morschauser, both of whom were natives of Germany. He married, January 27, 1889, Miss Katherine W. Bauer, daughter of Joseph Bauer, a merchant of Poughkeepsie. They have one son, Joseph C. H. Morschauser, aged fifteen years, who is a student at Riverview Military Academy in Poughkeepsie.

Hon. ISAAC N. MILLS.

Isaac N. Mills, a Justice of the Supreme Court of the Ninth Judicial District, was born in Thompson, Windham County, Conn., on September 10, 1851.

At the age of seventeen he entered the Providence Conference Seminary, at Greenwich, Rhode Island; taught district school, working evenings to keep up with his class; graduated in 1870. Graduated from Amherst College in 1874. In 1876 graduated from Columbia College Law School, and in the same year was admitted to the bar and became a resident of Mount Vernon, in this county. Was a member of the legal firm of Mills & Wood until 1882. Made a reputation as a trial lawyer. In 1883, at the general election, he was chosen County Judge; this position he retained until 1896. He was elected a State Senator and served during the years 1901-2—a two years' term. In 1906 he was elected to his present position.

He is a student, well learned in the law, and is considered one of the ablest jurists in the State. He has had the deciding of many important cases, involving intricate questions of law, and his decisions have been generally upheld.

Hon. WILLIAM P. PLATT.

William Popham Platt, County Judge, former District-Attorney, etc., was born in White Plains (where he yet resides), on May 16, 1858, a son of Judge Lewis Canfield and Laura (Sherbrook Popham) Platt.

His father was a lawyer of the old school and highly respected for his many good qualities, and was the first person elected as Surrogate of this County.

He comes of good Revolutionary stock, relatives on both his paternal and maternal sides having served in the Continental Army. His father's grandfather was an able officer serving in Col. Pierre Van Cortland's Third Westchester Militia Regiment. Another relative, Jonathan Platt, was member of the Committee of Safety and member of the Convention forming the State.

His maternal grandfather held the office of Postmaster in Scarsdale in 1850 and later.

He was educated in the public schools of his native town, and on graduating began the study of law in the office of his father, who had for clients most of the prominent residents in the County. It is said that many a farmer felt as if he could not rest easy unless his will had been drawn by Lawyer Lew. Platt, of White Plains. The present Judge Platt can credit much of his popularity to the well wishes of these men, irrespective of political party association, and relatives who were loyal admirers of his father.

In 1879 Mr. Platt was admitted to practice at the bar, and in the same year his father made him his partner, under the firm name of L. C. and W. P. Platt, and the new firm continued in the confidences of the public. When the elder member of the firm died, in 1893, his son succeeded to the practice, which had steadily grown; soon after Mr. Platt formed a partnership with Farrington M. Thompson, and the firm of Platt & Thompson took a position of prominence; the partnership continued until Mr. Platt took office as County Judge in 1902.

The firm of Platt & Thompson had an extensive practice in the Surrogate's Court. As a criminal lawyer, Mr. Platt developed with the years, and in many important criminal cases tried in the County he figured for the defense successfully.

The ability he displayed in conducting cases attracted attention, and as a result he was, in 1890, asked to become a candidate for District Attorney of his home county, on the Democratic ticket. He was elected, and at the expiration of the term he was re-elected, serving until 1896. In 1895 he was the unsuccessful nominee of his party for County Judge; though he ran far ahead of his associates upon the ticket, he went down with the other nominees of the party.

As District Attorney he secured many indictments and successfully prosecuted many important cases, in his endeavor to let no guilty man escape.

On retiring from the District Attorneyship he appeared for the defense in cases that became quite famous, such as the Peter James case, the burglar who was put on trial for shooting and killing grocer Walker B. Adams, at Bedford Station, on August 19, 1896; in the case of James Kelly, accused of murdering his father-in-law.

In November, 1901, Mr. Platt was the nominee of the Democratic party for County Judge, in opposition to Judge Smith Lent, who had just served a term in that office and was a candidate for re-election. Mr. Platt was elected, he being the only nominee of the Democratic side successful; this victory in great part being attributed to personal popularity.

From the time Judge Platt assumed office the practice in the County Court began to increase. When he was called to the bench the Court had on an average not much over twenty civil cases on the calendar for each term, and the Court held only four terms a year, no term being longer than four weeks. Gradually the business of the Court increased.

In 1908, Mr. Platt was a candidate to succeed himself. A movement was started having for its purpose the giving of a union renomination, of both the Democratic and Republican parties, to Judge Platt. For some reason, thought not necessary to explain, this arrangement fell through, the Republican Organization deciding that it was best to nominate a full ticket including a candidate for County Judge. The result of the election proved this refusal to renominate the Judge bad judgment.

Mr. Platt was re-elected by a handsome majority, he being the

only nominee on the Democratic ticket to win out. His opponent was District Attorney J. Addison Young, considered the strongest man his party could name for the office. The lesson this campaign taught was an important one, that the people are growing to dislike politics being mixed up too much with the Judiciary.

The County Court is growing into importance with every year, and lawyers are less inclined to shun it. A capable Judge has much to do with the apparent change. The term calendar has increased from twenty cases to one hundred and thirty and in some terms more. Now seven terms a year are held, one term frequently running into the next. So great is the volume of business demanding immediate attention of the Court, that the same is now in session forty-six weeks during the year. Judge Platt is a faithful worker, and remains on the bench as long as he is needed there. His almost constant sittings gives him but little time off the bench to prepare his decisions, which are seldom, if ever, reversed.

Judge Platt is a member of the New York Society of the Sons of the American Revolution; his paternal grandfather, Z. Platt, served as a captain in the American Revolution and his maternal great-grandfather also served in the same war as major and aide to Gen. Steuben, and his maternal grandfather fought on the right side in the War of 1812. He is a member of the Medico-Legal Society of the United States, a member of White Plains Lodge, No. 473, F. and A. M., a member of the Knollwood Club, a member of the Order of Elks, a member of the Democratic Club, and other organizations.

Judge Platt was married on October 1, 1890, to Miss Sara Stuart Dean, daughter of Mr. and Mrs. Moses W. and Sara Stuart Dean, of White Plains. Of this union there are two sons, Stewart Dean Platt and William P. Platt, Jr.

Hon. FRANK V. MILLARD.

Frank Vincent Millard, Surrogate, President of the Board of Education, former Town Clerk, Supervisor, Presidential Elector, etc., was born February 27, 1867, in Tarrytown, a son of James S. and Elizabeth A. (Purdy) Millard.

He received his preparatory education in the Tarrytown public schools and Irving Institute, entered Yale College, and graduated in the class of 1888. He studied law in the office of his father, one of the leaders of the Westchester County bar; on graduating from the Columbia Law School he was duly admitted to practice on February 13, 1890.

As a lawyer he has had even more than his share of legal practice, principally in Surrogate's Court and closing of estates.

He had an early start in politics and from the beginning he took a prominent place in the councils of the Republican party. He reversed the adage, "Old men for counsel, young men for war." He was for both counsel and war.

In 1890, when only a few years beyond his majority, he ran for Town Clerk, and won by a good majority in the then Democratic town; he was re-elected to this office.

In 1892 he won again, running for Supervisor; his success in this undertaking surprised the wise-heads. For some time past none but Democrats had been elected Supervisor in this good old town; men with grey hair and beard and dignified manner, men fit to counsel a nation, had represented this staid people in the County legislative body; now behold a stripling of a boy, only twenty-five years of age, is elected, and he a Republican, too, to appear and legislate for this the largest town in the County.

Nevertheless, this victory sent Mr. Millard's political stock booming. He was considered by many Republicans as their "coming Moses." He was level-headed and sensible. He took his honors meekly. After serving his term as Supervisor, he stepped aside, for the time being, to give his undivided attention to his law practice, which he prized above politics.

He continued his position as chairman of the Republican Town Committee and representative in the Republican County Committee; in 1896 he was chosen chairman of the County Committee, later retiring voluntarily in favor of his friend William L. Ward.

He accepted appointment as counsel to the Town Board, to the Board of Assessors, to the Board of Highway Commissioners of both the towns of Greenburgh and Mount Pleasant, to the Excise Board, to the Board of Health, to the Tarrytown Village Board of Trustees, and to various Village boards; counsel for the town of Mount Pleasant, counsel for the County Superintendent of the Poor; was elected a member of the Tarrytown Board of Education, which position he has held for more than seventeen years, and was, in 1911, elected president of the Board; trustee and counsel of the Westchester County Savings Bank at Tarrytown. He was foreman of Hope Hose Company, No. 1, eight years, many years has served as President of the local Exempt Firemen's Association and as engineer at the head of the local fire department. Filled the position of president of the local Young Men's Lyceum.

In 1900 he was elected on the Republican ticket as a Presidential Elector.

In 1906, when he was but thirty-nine years of age, Mr. Millard was elected Surrogate; a young man for so responsible a position, but the younger the better, we have found. Judge Silkman, who had just retired as Surrogate, was but thirty-six years of age when he was first elected.

As a Surrogate, Mr. Millard is very popular with members of the bar. He is always found prompt at his post in the discharge of his judicial duties. The courtesy, liberality and generosity, marking his career as a public official, contribute, in no small degree, to secure for him the position which his skill and ability, combined with his admitted sagacity and tact, fairly entitle him to. He is yet a valued adviser in the councils of his party, in which he is highly respected for his ready speech and free expression of honest opinion, and his associates in the party organization, the upholders of the integrity of the party, admit they owe him much for the steadiness and power which he has brought to bear in aid of the party's best interests.

In 1812 the Westchester County Bar Association adopted resolutions asking all political parties to unite in giving him a renomination for Surrogate.

He is a Mason of prominence, belonging to various branches of the order; besides being a member of Solomon's Lodge, No. 196, F. and A. M., is a member of Irving Chapter, of Westchester Commandery, Peekskill Council, is a 32 degree Mason, member of Mecca Temple Shrine, of Scottish Rite Consistory of New York, of O. D. O.'s of Mount Vernon, and has served as District Deputy Grand Master, 12th Masonic District. Belongs to the Westchester Lodge of Independent Order of Odd Fellows. He was president of the Westchester County Bar Association, in 1908-9, and while such inaugurated a movement to establish a State Supreme Court Library at White Plains. After the passage of the law creating such Library, he was appointed by the Governor as a trustee, and from the beginning has been chairman of the Board of Trustees.

Mr. Millard was married on December 30, 1891, to Miss Grace Requa, daughter of Isaac Requa, of Tarrytown. There are three children —all girls: Grace R., born September 22, 1893; Emily, born October 22, 1896, and Florence, born July 28, 1898.

Surrogate Millard has always resided in Tarrytown.

SUPREME COURT OFFICERS.

Charles J. F. Decker, Croton Falls, Clerk, Part 1;
Franklin Montross, Peekskill, Part 2;
Harvey Husted, White Plains, Stenographer;
William H. Carpenter, Jr., White plains, Stenographer;
Chester A. Smith, Peekskill, Stenographer.

HARVEY HUSTED.

Harvey Husted was born in the year 1854, in the town of Mount Pleasant, where his father, Nathaniel W., kept a dry dock and coal yard, familiarly known as the Upper Landing. He was named after his maternal grandfather, Harvey Palmer, of Pleasantville.

Mr. Husted has the distinction of receiving the first official appointment as Stenographer to the Supreme, County, and Surrogate's Courts in Westchester County, and has continuously been between the bench and bar for 35 years.

When he entered the Courts thirty-five years ago, he says, the older members of the bar were in the habit of taking testimony of witnesses in longhand, with pens made from the quills of a goose, and the pens were made while the Court waited, and each lawyer prided himself on his ability to make a better pen than his brotner lawyer, and to take in full the testimony of witnesses, and often disputes occurred between the Court and counsel regarding the evidence that had been taken.

The lawyers in the old days looked upon the stenographer as a base intruder, who had intervened between Court and counsel to rob them of their reputation to take full notes of a trial.

Upon one occasion, Hon. Jackson O. Dykman, through whom Mr. Husted received his first appointment as Stenographer to the Special Term of the Supreme Court, said to an attorney who was endeavoring to take in longhand the testimony, "Counsel, we cannot wait for you to take down the testimony of the witness." "Can't wait for me, your Honor?" "No, we have a stenographer here." "Got a what?" "A stenographer, who writes by sound every word the witness utters, and whose duty it is to take full notes of the trial for the court." "Well, if your Honor please, how am I to cross-examine this witness without his testimony before me?" "I don't know," said the judge, "you will have to get along the best you can."

When Mr. Husted was first appointed, and for several years thereafter, his shorthand notes had to be transcribed in longhand, and extra copies made with a copying press, which was a tedious task.

Mr. Husted had one of the first typewriting machines manufactured, and when he delivered his first copy of testimony in typewriting, the lawyer did not like it. The type was all upper case, or capital letters and the ink from the ribbon filled the type, blurring the letters, and the carbon paper smutted.

Inventive genius has done much to lessen the drudgery of the Court Stenographer. He dictates his stenographic notes to a phonograph, the wax cylinders of which are capable of receiving a sufficient number of words to make four pages of typewritten matter, and then these cylinders are given to a typewriter operator, who places them on a phonograph, and the spoken words of the stenographer are reproduced in the ears of the operator who makes the typewritten copies.

Mr. Husted says his official life among the lawyers has been most pleasant, and declares that the legal profession supersedes all others, in that it has so many avenues leading to distinction.

"To which of the professions do the people look when they need a statesman?" asks Mr. Husted. "When the people of a great municipality seek a man for Mayor, to which of the professions do they go? When the State is in need of a great physician, do they go to the medical profession to get a man for Governor? Have the Presidents of the United States been theologians or physicians? Nay! they have usually been men versed in the law."

"We live in a great Republic, and if asked, Have we a King in America? the answer must be, We have, the Law is King, and that King should be respected more than it is feared, and if a time shall come when that King is not respected, the Republic will lean to its fall."

See biography of Mr. Husted commenced in volume one of this book.

CHARLES J. F. DECKER.

Charles John Frederick Decker, Clerk of the Supreme Court, part one. He first entered the County Clerk's office as a deputy on February 5, 1896, and from that date to this has steadily increased his

HARVEY HUSTED

CHARLES J. F. DECKER

FRANKLIN MONTROSS

FRANK E. CLARK

popularity by intelligent, faithful service rendered the public. As the position he holds grew in importance, his ability proved equal to the demands of increasing responsibilities.

In addition to sketch published on page 165, volume one, of this book, relative to Mr. Decker, much can be added testifying to an honorable career, steady and reliable.

He has, through the years intervening, with credit to himself and profit to those he served, filled many positions of trust, performing duties not immediately connected with his official positions.

He is a trustee of the Home Savings Bank of White Plains; secretary and treasurer of the Higley Machine Company of Croton Falls. Is prominent in the Masonic Order; a Forester; a member of the local Automobile Club, and associated with other fraternal and local social organizations. Is a trustee of the Croton Falls Baptist Church and Public School. A member of the Republican Club of New York city, and of the Westchester County Chamber of Commerce, in the latter organization is a member of the Council Board representing the town of North Salem.

Mr. Decker was married on April 18, 1900, in the Croton Falls Baptist Church, to Miss Clara V. Gregory, daughter of Charles B. and Ida (Cole) Gregory. Of this union there are two doughters, Madeline L., and Charlotte G.

FRANKLIN MONTROSS.

Franklin Montross, Supreme Court Clerk, was born in Peekskill, July 19, 1873, a son of David G. and Caroline Harriet (Yocom) Montross. He has always resided in Peekskill; was educated in private and public schools of that place. Was four years connected with the livery business of his father in the home village.

His political career began with his accepting an appointment as private secretary to Hon. James W. Husted, of the State Assembly, and clerk of the Assembly Committee on Insurance, at Albany, in 1896 and 1897.

In 1898 he was special index clerk in the County Register's office, under Register Thomas R. Hodge, at White Plains. In the same year he entered the County Clerk's office as recording clerk. In 1899 he was appointed Special Deputy County Clerk and assigned to Supreme and County Courts as clerk alternately; in 1907 was assigned as clerk to part two Trial Terms of the Supreme Court, where he is at present. He is second oldest employe connected with the present County Clerk's office, in point of service.

Mr. Montross is prominent in fraternal and social organizations; is a member and Past Grand of Cortland lodge of Odd Fellows, No. 6; Past Captain of Sons of Veterans, a member of the B. P. Order of Elks; a member of the Republican Club of New York city; a member of the Imperial Club of Peekskill; a member of the Highland Boat Club, and a member of the Elks' Club of Peekskill.

As a man of affairs it is natural that he takes active interest in politics. He is a member of the Republican County Committee and a leader of the eighth election district of the town of Cortland.

In September, 1911, Mr. Montross was chosen chairman of the Republican Town Committee, of the town of Cortland, and member of the Republican County Executive Committee, to fill the vacancy caused by the death of his father, who held these positions several years, besides being Postmaster at Peekskill.

Mr. Montross was married on September 4, 1900, to Miss Lillian Chamberlin, daughter of John Metlock and Sarah Bowen Chamberlin, of Brooklyn, N. Y. Of this marriage there are two children, Harriet, aged nine years, and Franklin, Jr., aged seven years.

FRANK E. CLARKE.

Frank Edgar Clarke, lawyer, Clerk of Surrogate's Court, Village Trustee, etc., was born on October 26, 1878, in Hillsdale, Columbia Co., N. Y., a son of Rev. William Edgar and Georgia (Wood) Clarke, his father being a well known Methodist divine. When the subject of this sketch was quite young his parents removed from Hillsdale. Fortunately they were in a position to satisfy the boy's desire for knowledge; after a preliminary course in local schools, he attended the New

York Military Academy, later he was sent to the most excellent Syracuse University, from which he graduated with honors with the degree of Ph. B. in 1903.

He determined on law as a profession, and being a resident of Westchester County, he entered a law office in Tarrytown as a student. He became a resident of White Plains, the County-seat, in October, 1903, and here he continued his studies. In 1904 he graduated from the New York Law School, receiving the degree LL. B., and was admitted to practice, opening offices in White Plains.

Mr. Clarke is possessed of a fine presence, a good constitution and more than a usual amount of energy; as a man-of-affairs he has been uniformly successful, a result consequent on good judgment rather than what is sometimes termed "good luck." In politics he has ever taken a deep interest. He is a staunch Republican, preferring principle to position, and doing yeoman's service in whatever he undertakes.

He is a good representative of the "young men in politics." His popularity suggested his election as a Village Trustee in 1906; in this position he has served two years.

In 1908 he accepted the position of assistant to the District-Attorney; he became Deputy Clerk in the Surrogate's Court in 1909, and in 1911 he was promoted to the position he now holds, Clerk of the Surrogate's Court.

In the fall of 1910 he was urged to again accept nomination of his political party for the Village Trusteeship, as his political friends needed him to secure a victory. He was elected to serve two years more as a "Village Father."

The taste that was acquired by his early training, inclined Mr. Clarke to see service in the State Militia. He is a Mason, and is an Elk, being a member of the local lodges; is a member of the College Fraternity Delta Kappa Epsilon; a member of the Graduate's Club; a member of the Town and County Republican Committees, and a member of the New York Republican Club.

Mr. Clarke was married July 30, 1909, to Miss Miriam A. Grasse, daughter of Mrs. Mary R. Grasse, of New York city. (The bride's late father, Henry Grasse, was a prominent New York lawyer, and at one time chairman of the Republican Committee of New York County). One child, a son, David Arvine Clarke, born June 2, 1910, has come to bless this union.

COURT INTERPRETER.

Armand R. Stainach, of White Plains, who held this position since 1886, died at his home on October 17, 1911, aged 94 years. He first entered the County's service in 1861, being appointed Index Clerk in the Register's office; later he became a Clerk in the County Clerk's office and Interpreter to all Courts. (See biography, page 167, vol. 1.)

UNITED STATES SUPREME COURT JUSTICES.

President Taft within three years appointed a majority of the United States Supreme Court, including a Chief Justice. It is a record which has not been equalled in a like space of time since President Washington. It is a record which has not been equalled by another President in any space of time save by Washington, Jackson and Lincoln.

President Washington in eight years had the naming of twelve Justices, including Chief Justice Jay, Rutledge and Ellsworth. President Jackson, in eight years, named five, including Chief Justice Taney. President Lincoln in four years also named five, including Chief Justice Chase. But President Grant in eight years appointed only four, including Chief Justice Waite, while President Cleveland in his two separate terms appointed four, including Chief Justice Fuller.

With President Washington came the original organization of the Court. With President Jackson an old political era ended and a new began. With President Lincoln the Court was affected by the Civil War. But with President Taft a chapter of natural causes unrelated to politics operated to deplete the Supreme Bench and make up for him this remarkable record. The last appointment by President Taft as Associate Justice of this Court was that of Chancellor Pitney of New Jersey, in 1912.

ITEMS OF INTEREST.

The waters of many of the lakes and streams, in Westchester County, acquired by the City of New York to contribute to that city's water supply, were well stocked with trout, bass, perch and other desirable fish. When it was found necessary to drain a lake, as in the case of Kensico Lake, in August, 1911, the fish had to be removed to save them from perishing. The Daniel Gray Fishing Club of White Plains contributed $300 to help defray the expense of transporting the fish from Kensico Lake to Rye Lake in the town of Harrison. The Board of Supervisors, on August 7, 1911, appropriated $200 for this same purpose and $100 additional on condition that some of the fish from Kensico Lake be conveyed and deposited into the Grassy Sprain Lake at Yonkers.

The original wigwam of Tammany Hall was located in Bowling Green and then on the corner of Nassau and Spruce Streets; the association's first regular habitation was built in 1811, at the corner of Park Row and Frankfort Street; in 1868 the Society removed to Fourteenth Street, New York, where "headquarters" has since been maintained. The Democratic National Convention, in 1868, was held in this hall, which as a political shrine has come to occupy a place in public fame perhaps next to Boston's own Faneuil Hall.

COUNTY BAR ASSOCIATION.

The Westchester County Bar Association was organized on March 7, 1896, with the following named incorporators: William H. Robertson, Theodore H. Silkman, Gideon W. Davenport, Francis Larkin, William A. Woodworth, I. N. Mills, J. Addison Young, H. T. Dykman, R. E. Prime, D. Wiley Travis, Richard S. Emmet, Herbert D. Lent and Charles Haines.

Judge William H. Robertson was elected first President, and Gideon W. Davenport, Francis Larkin and R. E. Prime were elected Vice-Presidents; William A. Woodworth, Corresponding Secretary; Charles Haines, Recording Secretary, and Joseph S. Wood, Treasurer.

Gideon W. Davenport, who was Supervisor of the town of New Rochelle and Chairman of the Board of Supervisors, as well a lawyer of merit, suggested the formation of this Association, and is alluded to as its founder. He did not live to become its President.

In 1897, Surrogate Theodore H. Silkman was elected President; with former Vice-Presidents, etc.

In 1898, Surrogate Silkman was re-elected, with Joseph S. Wood, W. A. Woodworth and D. Wiley Travis as Vice-Presidents.

In 1899, Joseph S. Wood, of Mount Vernon, was elected President, with Joseph F. Daly, Francis Larkin and W. A. Woodworth as Vice-Presidents.

In 1900, Joseph S. Wood was re-elected; Joseph F. Daly, John M. Digney and Charles Haines were elected Vice-Presidents.

In 1901, Joseph F. Daly, of Yonkers, was elected President, and George C. Appel, Wlison Brown, Jr., and Henry R, Barrett were elected Vice-Presidents.

In 1902, Wilson Brown, Jr., of White Plains, was elected President, and George C. Appel, Henry R. Barrett and John Gibney as Vice-Presidents.

In 1903, Wilson Brown, Jr., was re-elected President, with John Gibney, J. M. Wainwright and W. W. Scrugham as Vice-Presidents.

In 1904, J. Mayhew Wainwright, of Rye, was elected President, with W. W. Scrugham, W. Samuel Johnson and Frank L. Young as Vice-Presidents.

In 1905, J. M. Wainwright was re-elected President, with John F. Brennan, W. S. Johnson and Frank L. Young as Vice-Presidents.

In 1906, John F. Brennan, of Yonkers, was elected President, with Frank V. Millard, John C. Ten Eyck and Stephen Lent as Vice-Presidents.

In 1907, John F. Brennan was re-elected President, with Frank V. Millard, John C. Ten Eyck, J. Addison Young and J. Alvord Peck as Vice-Presidents.

In 1908, Frank V. Millard, of Tarrytown, was elected President, with John C. Ten Eyck, J. Addison Young, J. Alvord Peck and Frank L. Young as Vice-Presidents.

In 1909, Frank V. Millard was re-elected President, with same Vice-Presidents re-elected.

In 1910, former District-Attorney J. Addison Young, of New Rochelle, was elected President, with John C. Ten Eyck, Herbert D. Lent, Frank L. Young, J. Alvord Peck as Vice-Presidents; William R. Condit, Secretary, and Anson Baldwin, Treasurer.

In 1911, J. Addison Young was re-elected as President, with John C. Ten Eyck, J. Alvord Peck, Herbert D. Lent and Frank L. Young as Vice-Presidents; Oscar LeRoy Warren, Secretary, and Anson Baldwin, Treasurer.

SUPREME COURT LIBRARY AT WHITE PLAINS.

The law establishing a Supreme Court Library at White Plains became effective May 18, 1908. (Chap. 304, Laws of 1908.)

Entitled "An act to establish a law library in the Ninth Judicial District, to be located at White Plains, and which shall be designated as 'the Supreme Court Library at White Plains.'"

The said library shall be under the care and management of a Board of Trustees, consisting of five members, who shall be appointed by the Governor, from among the members of the Westchester County bar, who shall have practiced law for at least ten years. Upon the passage of this act the Governor

shall appoint one of said Board of Trustees who will serve one year, one two years, one three years, one four years, one five years. At the expiration of such terms the Governor shall appoint successors to said trustees, who shall serve five years and until their successors have been appointed.

The Librarian of said library shall be a regularly admitted attorney and counsellor-at-law, who has practiced law for at least five years. To be appointed by said Board of Trustees and shall hold office during the pleasure of said board. Salary to be fixed by the Board of Trustees, and to be paid in monthly installments by the Treasurer of Westchester County, out of moneys raised in said County for court expenses, upon the certificate of a Supreme Court Justice of the Ninth Judicial District."

In pursuance with this statute, Governor Hughes appointed the following named members of the Westchester County bar as Trustees: Surrogate Frank V. Millard, of Tarrytown, President of the Bar Association; ex-District-Attorney J. Addison Young, of New Rochelle; John F. Brennan, of Yonkers; Nathan P. Bushnell, of Peekskill, and David H. Hunt, of White Plains.

To decide length of term of office of each, the Trustees agreed to draw lots, with the following result: Mr. Bushnell, to serve one year, term expiring December 31, 1909; Mr. Brennan, to serve two years, term expiring December 31, 1910; Mr. Young, three years, term expiring December 31, 1911; Mr. Hunt, four years, term expiring December 31, 1912; Mr. Millard, five years, term expiring December 31, 1913. At expiration of Mr. Bushnell's term, at the end of 1909, Governor Hughes reappointed him for the full term of five years. Mr. Brennan was also reappointed at expiration of his term.

Mr. Millard was chosen chairman, which position he continues to hold.

At the organization of the Board of Trustees, William A. Woodward, a practicing lawyer of White Plains, was appointed Librarian, at an annual salary of $2,000.

The Library was opened to the public December 1, 1909, and is located in the County Court House, in spacious rooms especially constructed, connecting with the various court chambers.

The establishment of this library was suggested by Mr. Millard when president of the County Bar Association. The legislative bill authorizing the same was drawn by David H. Hunt, now one of the Trustees.

ASSURED UNANIMOUS RE-ELECTION.

Supreme Court Justice Martin J. Keogh is surely favored among men. To prove this we may be permitted to submit in evidence the following: "May it please the jury," our readers, to know the story relating to certain proceedings happening in the Westchester County Court House, at White Plains, in September 28, 1909, proceedings that proved specially interesting and impressive as they were also unusual in the county's political history—the peaceful coming together of two antagonistic political bodies to consummate an amicable arrangement culminating in a union on the nomination of a member of one of these political organizations.

Two separate nominating conventions were held, and in each a distinguished representative of his party presided, seated upon a rostrum over which, on the wall, hung the motto, "Peace and Good Will Unto Men;" flanked on one side by another motto, bearing the words, "Love Thy Neighbor as Thyself," and on the other side by the motto, "Brotherly Love Binds All."

The cause for all this was the desire to commend the faithful services of an efficient public official. The effect was the unanimous nomination, by both the Democratic and the Republican political parties, of Martin J. Keogh for Supreme Court Justice, for fourteen years more.

Surely he is favored among his fellows.

As the Justice is marked as a Democrat, for identification, the Democratic Judicial Nominating Convention was the first held. It was organized, at noon, by electing as chairman M. M. Kane, of Orange County, who had himself been a Democratic candidate for Justice of the Supreme Court at the preceding election.

Hon. John F. Brennan, of Yonkers, one of the most intimate friends of Justice Keogh, who had at a previous election also been a candidate of his party for Justice, made the nominating speech, as follows:

"*Gentlemen of the Convention:* I am honored in being permitted to express here your wish, and that duty is made

extremely simple, but none the less pleasant, in the knowledge that the nominee of this Convention has already been named by the people and will receive practically the unanimous vote of the district.

Fourteen years ago an advocate renowned for courage, skill and eloquence was nominated on the Democratic ticket in the old Second Judicial District, and in that year of Republican victory was elected. By that election the Bar was deprived of a gifted son that the Bench might be enriched. Fourteen years of service as Judge have demonstrated in frequent repetition, the wisdom of that selection and will make it to-day the duty, as no doubt it is the pleasure, of the delegates to the Republican Judicial Convention to second our good resolution and make his nomination unanimous.

I might here very well stop, for what speech is needed to present the name of Martin J. Keogh in this Convention. What can I say that has not been many times voiced by each one of you, and that even now hangs trembling on your lips, swelling from hearts filled with pride in the man, and affectionate regard. This very court room lends itself to the appropriateness of the selection. This room that has witnessed the triumphs of his forensic skill. This Bench around which cluster memories and traditions of that great Chief Justice of the old General Term, the revered Barnard and his associates of tender memory, our own Dykman and Pratt, the mighty Cullen, now Chief Judge of the Court of Appeals, and his learned and worthy associate Bartlett, our present able Chief Justice Hirschberg of the Appellate Division and his distinguished associates, Gaynor and Jenks.

We present here as a candidate to-day, a man who is a peer of the greatest of them, a man who measures up to the high standard that should be set for this great office; a man who has a heart as well as a head; who is keen to feel sorrow with the sorrowful, and gladness with the happy; whose mental make-up has not become strained in the endeavor to apply technical rules; who has a broad and clear vision to see the truth, and a fearless courage to express it; who announces law and makes decisions instinctive with life. He may sometimes err, it is a part of humanity to do so, but his decisions, whether sitting in a Court of Equity or in a Court of Law, ruling upon questions or charging juries, are the decisions at all times of a learned Judge, never dictated by unjudicial influence. It has

been said that no Judge can live in the annals of his profession, who cannot win the confidence and esteem of the Bar.

To-day it is my great fortune to present for renomination a man who has earned that confidence, who would be a great Judge, even though all our law books were burned; whose instincts are true and of an order high and noble; whose life has been sweet in the aspiration for better things, and with all, possessed of a modesty so great that it places me under restraint in performing this duty.

I present for the approval of this Convention, the most skillful and eloquent advocate who has ever appeared at the Westchester Bar, a very learned and humane Judge, a man who has made even the losing of a case a pleasure; our neighbor and friend Martin J. Keogh."

This nomination was ably seconded by several delegates representing the five counties within the Judicial District, the addresses being highly complimentary to the gentleman proposed.

On motion, the nomination of Mr. Keogh was made by acclamation; all delegates giving assent by rising in a body.

The Convention then adjourned, to meet in joint convention with delegates to the Republican Judicial Convention.

The Republican Judicial Convention convened one hour later, in the very court room where the Democratic Judicial Convention had been held. James M. Hunt, former Corporation Counsel of Yonkers, was chosen as presiding officer, and after the organization was completed, announcement was made to the effect that the object of gathering was the placing in nomination of a candidate for Justice of the Supreme Court, to succeed Martin J. Keogh, whose term of office was about to expire.

Former District-Attorney J. Addison Young, of New Rochelle, arose to address the convention and was recognized by the chairman. Mr. Young spoke as follows:

"*Mr. Chairman and Gentlemen of the Convention:* A very pleasant duty was allotted to me when I was given the honor, that many would covet, of naming to this assembly the man whom we all believe is worthy of being named in connection with a nomination we have been called here to make.

" The Republican party, represented in judicial convention, pays to-day its highest tribute to an honored Judge.

" Three years ago the Ninth Judicial District held its first convention in this place. Justice Mills, Justice Tompkins and Justice Morschauser were then enthusiastically nominated and a few weeks later triumphantly elected and are now serving the people of this district with ability, respect and honored by all.

" It was demonstrated then, and I think is generally conceded, that this district is a Republican district and that a nomination upon that ticket will generally insure election.

" Furthermore, it is apparent that at the bar of the counties comprising this district there are many eminent and learned lawyers, fully qualified for judicial positions.

" Yet under these circumstances we, Republican lawyers, are met here to-day with a purpose of nominating for Judge of the Supreme Court a man in political faith opposed to us.

" In doing this, we bestow a high honor upon our choice and at the same time ennoble and enrich the party to which we belong.

" It is said that the Republican party can be depended upon to do the right thing at the right time, and this, I believe, is because of the fact that it is generally the endeavor of that party to do what is right.

" I believe that what we are about to do here to-day is being done because no other course would be right, politically or otherwise.

" The man here to be nominated has served as our Judge for fourteen years, and during all that time has held the scales even, never stooping to see or stopping to inquire as to the political affiliations of those before him. Even-handed justice has always been his watchword, and to-day, in making this unanimous nomination, we are simply obeying the rule as laid down by him during the past fourteen years.

" But, beyond the fact that Judge Keogh deserves a renomination and that any other course on our part would be wrong, we find this duty in his case most delightful.

" There are no party lines among the people of this district in their love and affection for the Judge. His many qualities of head and heart have endeared him to us all. We admire his ability, we honor his character, but we love the man.

" The young lawyer has been encouraged and helped by his patience and kindness. His humor has enlivened many a dull case. His knowledge of human nature has made the course of

justice plain. We have often been beaten before him, but have usually gone home contented, instead of to the nearest tavern to ' cuss ' the Judge.

" As was said of Charles James Fox—' His intellect is all feeling and his feeling all intellect.'

" To-day everything that can make life honorable, everything that can make life happy—respect, success, the consciousness of usefulness, the regard of his fellow-men—all are his.

" The promise of the Hebrew prophet is again fulfilled. ' If thou wilt walk in my way, and if thou wilt keep my charge, then thou also shalt judge my house and shall keep my courts, and I will give thee places to walk among those that stand high.'

" As Judge Keogh's neighbor and friend, I am honored in presenting his name as the Republican candidate for Justice of the Supreme Court."

Hon. Frank V. Millard, Surrogate of Westchester County, recognized among his political associates as " the instigator " of Justice Keogh's nomination by the Republican party, was called upon, unexpectedly to him, to second the nomination made by the former District-Attorney.

The young jurist, on rising to comply with requests for a speech, was greeted with hearty applause by his fellow delegates.

The Surrogate delivered his offhand, impromptu address in his usual happy, jocular vein, in keeping with the joyous spirit that prevailed in the Convention.

"*Mr. Chairman and Gentlemen of the Convention:* I was, until now, uninformed as to my being regularly assigned to appear on either side of this action; therefore, I am caught without preparation or opportunity to prepare a brief. However, I will attempt in talking to make necessary brief.

" In fact, I will not endeavor to give evidence of ' a big spoke and a long tire to the waggin' of my tongue,' as some poet has said.

" As I understand it, this action is brought in the name of the people, demanding the retention within certain ' limits ' of a certain man, for a term of fourteen years.

" That this is not a ' John Doe ' proceeding is manifest, owing to the fact that the name of the man we are seeking is

well known to all of us. He has had a fair trial and on his own motion secured many adjournments, running through years; therefore, this body, sitting as a ' Court of Last Appeal,' can, without hesitation, be asked to confirm the action of the Court ' below,' which, this morning, heard the case on behalf of the People and passed judgment.

" It may, your honor, Mr. Chairman, be an unusual proceeding, but I make motion that, first, a sentence of fourteen years be passed, and, second, that the sentenced one be brought here before us and be required to answer whether or not he will, kindly, accept and serve so long a term of retention, and on his decision rests the confirmation of sentence.

" Mr. Chairman, I beg that you will pardon me if I appear given to more levity than the occasion warrants. My excuse is that I am full to overflowing with the extraordinary good feeling displayed in connection with this joint nomination of the able jurist who has so many years honored our County, and the judicial district, while serving as a Supreme Court Justice.

" It is a pleasure to me at this time to stand up and second the nomination of Judge Keogh; and it was just as much pleasure to me, nearly two years ago, when presiding at the Bar Association dinner of this county, to suggest that which is happening now should take place: indeed I went further and said that the fact that Judge Keogh would succeed himself was a foregone conclusion.

" We like Judge Keogh for many reasons. First, because of the fact that he was just the same when he got on the bench as he was when we used to sit here practicing law together. He never forgot that he himself was once in that position. We like him because of the fact that he could beat any one of us and make us feel very much as if we had won. You have often heard him say to some one in the court room after he had decided against him, ' that was a great victory, young man, that you had this morning:' and we like him for that sentence which he often uttered from the Bench, and which it has been our pleasure to listen to: ' Yes, we will go on with this case; we will give speedy and exact justice.'

" I can't help it, Mr. Chairman; you must pardon, if not me, the happy spirit which compels me to relate stories in illustrating points in my brief.

"I am convinced that you gentlemen, who have for years associated with our brilliant Justice, and been made satisfied by his good-natured jests and ready wit, even if he finally decided against you, and you have gone off with his admonition, 'Don't take life too seriously, young man,' ringing in your ears, will recognize this occasion to be one of unusual mutual rejoicing, when even my jokes, though you have heard them before, are admissible. This is certainly a joyous time, similar, perhaps, to that when even the Constitution was not permitted to stand between friends.

"On this occasion we are endeavoring to reflect that good nature and happy disposition of which our proposed nominee is so richly endowed.

"Some one may, in the hereafter, refer to this joint action of two warring political bodies as an illustration of the sacred story of the lion and lamb getting together and an innocent child leading them. Again I give hearty accord to this nomination."

The committee, consisting of one from each party, appointed to notify the nominee and escort him before the joint convention, waited upon Justice Keogh, who was in the Judges' room, off the old Court Room, where the convention had been held.

When Justice Keogh entered the room, escorted by the committee, he was greeted by hearty hand-clappings, the many in the crowded room vieing with each other in attempts to manifest their pleasure in being permitted to take part in so unusual a ceremony, the like of which was never before witnessed in this judicial district, if anywhere else in the State. Political party lines were eliminated for the time being; Democrats and Republicans were so intermingled that it was almost impossible to distinguish one from the other. It was a spontaneous outpouring of good feeling expressed in honor of the worthy jurist who had inspired it.

Justice Keogh took his place upon the Bench before which he had appeared in years gone by as a most successful pleader, and where he had sat at different periods during nearly fourteen years past. He spoke in a tone usually used by him when addressing a jury; several times he paused during the delivery, as if the grandeur and sentiment of the occasion were overcoming him, and he had difficulty in controlling his emotions.

Chairman Hunt in presenting him to the Convention said:

"*Gentlemen of the Judicial Convention:* It is with the greatest pleasure that I shall present to you presently, your candidate for the office of Justice of the Supreme Court for the Ninth Judicial District. Some of us used to meet him before he was elected to the bench, and then we met him at the bar and our meetings were not always pleasant to us, but during the last fourteen years, we have all of us met him while he has been upon the bench, and those meetings have always been most pleasant.

"Gentlemen of the Convention, I present to you your nominee by unanimous choice, for Justice of the Supreme Court of the Ninth Judicial District."

After the plaudits of greeting had subsided sufficiently to permit his being heard, the Justice said:

" Fourteen years ago I was named by the Democratic Judiciary Convention as its candidate for Justice of the Supreme Court in the old Second Department. I was elected to that office.

" To-day another Democratic Judiciary Convention renominated me for the same office, and a Republican Judiciary Convention, representing my Republican fellow-citizens, have united in making that nomination unanimous. By so doing you have sounded a note in favor of a non-partisan judiciary which will re-echo throughout the Ninth Judicial District for all time. You have plucked the high office of Justice of the Supreme Court out of the maelstrom of partisan politics.

" How can I in meager words tell you how highly I value this honor? It has every element that makes it dear to me. It comes from my professional brethren. It comes from political allies and from generous political adversaries. Personal vanity could desire no more. It is a public servant's fullest measure of compensation.

" It is a great pleasure to me to see the friends and neighbors who were my friends and supporters fourteen years ago with me to-day. A man who loses old friends is unworthy of new ones. To the members of the bar of Putnam, Dutchess, Orange and Rockland Counties I am profoundly grateful for their unanimous commendation, and these gentlemen will pardon me if I say I am specially pleased with the support I received from the members of the bar of my own County of Westchester, with whom I have lived and labored from my earliest manhood.

" Together we tried cases in this old court room. They were delightful colleagues and honorable adversaries. Together we toiled to build our homes in this beautiful County, and together we have reaped the fruit of our labors, if not in great, at least in sufficient plenty.

" To find them all with me to-day is a great reward and a great happiness. Nothing that may come to me in life's mysterious changes will I ever value half as much as I do this.

" I must not forget to thank the editors of all the papers in the Ninth District who, without one note of discord, have advocated my re-election.

" I confess I am proud of all this, yet what can I say or what can I do but give you my word that during my new term I will strive as I did during the old to prove myself worthy of the people's trust—that I will be a Justice of the Supreme Court for the whole people, upholding justice and mercy, no matter how feebly they may be defended, opposing injustice and cruelty no matter how powerfully they may be advocated and regardless of who or what the suitor may be or under what sun he may have been born.

" I have no enemies to punish, no enmities to gratify, no reprisals to make, and if the roll of the lawyers of the Ninth Judicial District were called I would not find a man upon it whom I have not trusted and not one who has shown himself unworthy of my confidence.

" I hope in the years to come the mutual confidence and respect which have always honorably distinguished the relations between the bench and the bar of the Second Department will grow stronger and closer and warmer as the years go by, that when my work is done your judgment of me may be as generous and charitable as it is to-day and that I may be rich, happy and blessed in the possession of your respect, confidence and affection."

At the polls in November, 1909, the people approved his joint nomination by giving Justice Keogh a unanimous re-election.

IN THE JOURNALISTIC FIELD.

In the United States and Canada there are, in round numbers, 3,000 or more daily newspapers, not to mention those published weekly. It is estimated that there are 65,000 newspapers and other periodicals in the world; 25,000 or more as published in the United States. The newspaper however is an Italian invention, the first newspaper was edited by Julius Caesar; he used the dead walls of Rome to display bulletins of the news—news carefully colored to suit the political views of J. Caesar. Yet the first regular publication of a newspaper was Italian, called "Gazetta," from which comes the English newspaper title "Gazette."

The first newspaper venture in America was a tragic failure. Mr. Richard Pierce, of Boston, in 1690, began the publication of "Publick Occurrences." He declared in his salutatory that there were too many unfounded and baseless rumors floating about Boston, and that the mission of his paper was to record them, and then trace them to their source. Mr. Pierce appears to be entitled to the honor of being the first journalistic muckraker. But those were cruel times, and the Legislature suppressed the sheet after its first issue, solemnly declaring it to be "a pamphlet which came out contrary to law, and contained reflections of a very high nature."

A generation later Benjamin Franklin confided to his mother his intention to start a newspaper. The worthy woman exclaimed: "What can you be thinking of, there are two newspapers in America now!" As a matter of fact there were five, but three of them were so far away that Mrs. Franklin had not heard of them.

The first daily newspaper in the United States, "The American Daily Advertiser," appeared in Philadelphia in 1784.

The New York "Herald," founded by James Gordon Bennett in 1835, was the first of the modern school of newspapers. In December of that year a great fire in New York destroyed property worth $20,000,000. Mr. Bennett wrote a report of the fire, with "human interest" embellishments. The people were astounded, and the story was repeated in the "Herald" the

second day in response to popular demand. Before that time newspapers had devoted practically all their attention to politics and political news, and to news from other cities. Local news was ignored. If a fire occurred, it was supposed that everybody knew about it already, and that it would be silly to print anything about it. That attitude toward local news is responsible for the fact that the first voyage of Robert Fulton's "Clermont" was considered to be worth only seven lines in the New York "Evening Post," and not until after an advertisement of the rates of passage to Albany was inserted. Mr. Bennett wrote all about the great fire, and made the great discovery that the people who see a thing are the very people who most want to read about it. He made another discovery at the same time, that "human interest" is quite as much a feature of the news as is "importance."

These beginnings of the newspaper business were small and insignificant compared with the journalism of to-day. The invention of the locomotive and the telegraph, each in turn, aided enormously in the development of the press. But the Civil War in America was the most potent factor in the evolution of the newspaper of to-day. During that conflict the American newspapers began the use of the telegraph for gathering news, they illustrated their despatches with drawings and maps, and they learned how to write headlines and turn out extras.

The next great event in the development of the American press was the Spanish-American War. It wasn't much of a war, as we see it now, but it seemed to be the biggest thing in the world just then. And the newspapers did seemingly impossible things every day, which they have continued to do every day since. The close of the war didn't end the war journalism at all. For the past decade there has been little change in American newspapers except that they have shared in the wonderful growth of the nation.

COUNTY NEWSPAPERS OF EARLY DATE.

" The art preservative " and the Journalistic spirit invaded the County at an early period. The earliest Journal of which we have date was the one which appeared in 1817; previous to that time residents had to depend for record of happenings upon newspapers published in New York city.

The first specimen of Westchester County journalism was the Westchester *Herald,* established in 1817, in Mount Pleasant, which at that date contained the locality now known as Ossining. The next newspaper started in hopes of meeting public favor, and necessary support to keep alive its circulation, was the Hudson River *Chronicle,* launched in about the same locality as its predecessor, in Ossining, in 1836. The *Herald* held its own for a considerable number of years and both papers were edited by men of recognized ability.

The fact that the north section of the County monopolized the local field of journalism, is explained by the fact that the north section was more thickly populated than other portions of the County.

The Westchester *Herald* was published by Caleb Ruscoe, to whom is related George I. Ruscoe who has been Supervisor of the town of Poundridge since the year 1893.

The Hudson River *Chronicle* displayed at the head of its columns the names of A. H. Wells as editor and M. L. Cobb as printer; together with the motto: "Pledged to no party's arbitrary sway, we follow the truth where'er it leads the way."

The Eastern State *Journal,* established in 1845, by E. G. Sutherland, is still being issued; the present editor being Charles D. Horton.

The next newspaper, and the first to appear in the town of Yonkers, was the Yonkers *Herald,* in 1852, and published by Thomas Smith, who in later years published the first Daily Newspaper published in the County. On the first page of the Yonkers *Herald,* directly under and part of the head-lines, was the motto: "Independent in all things, neutral in nothing." Mr. Smith's three sons are now editors and publishers of County newspapers.

CAPTORS OF ANDRE.

All Honor to Paulding, Williams and Van Wart.

Perhaps no event in the Revolutionary period of our country bears a more conspicuous place in history than that of the capture of Major John André, the British spy, at Tarrytown, in Westchester County, on September 23, 1780, by John Paulding, David Williams and Isaac Van Wart, honest yeomen, residents of this county. No history of Westchester County can be complete without mentioning this event so closely identified with the county and with the patriotic action of residents.

There is no incident of the American Revolution, so often told, so widely known, and so fraught with romance, with patriotism, and with pathos, as the story of the capture of Major André. Into that story enters all the elements that survive, in poetic shape, the prosaic sufferings and the puny passions of war. It is conspicuous among the many adventures and exploits of the seven years' conflict. First of all for the magnificent and pictorial exhibit it makes of the staunch, inflexible loyalty of our county yeomen during the Revolutionary struggle.

Time has commended the virtue and patriotism of Paulding, Williams and Van Wart, who, in capturing André, and in spurning his golden bribes, proved themselves worthy companions of the noble men who fought and bled in "the days that tried men's souls."

When we read this story, and consider all its startling details, we are impressed by the stern, patriotic dignity of Gen. Washington, the grace and accomplishments of the unfortunate André, and the daring boldness and vindictive treachery of Arnold—of that Arnold whose skill and courage shone so conspicuously when conducting the expedition against Canada, through the forests of Maine; overcoming difficulties and dangers that were deemed insurmountable; and whose frantic bravery, on the plains of Saratoga, made him the favorite warrior of the people, and rendered more striking the treachery

that cast him down from the height of American regard to the lowest depths of scorn and detestation.

At no period during the American struggle for independence was Westchester County exempt from the evils of war. The close proximity to New York city and the British army headquarters, and easy accessibility for purposes of raiding by the enemy, kept residents in constant anxiety. The Highlands of the Hudson constituted the strongholds of the American Army. While other portions of the country were occasionally invaded, here the contest was unceasing. The British Government at all times saw that the full possession of the valley of the Hudson, on their part would divide and weaken the power of the colonists, and would destroy all hopes of their maintaining the freedom of our country. The greatest effort put forth by England was confined in its operations to our own territories, from New York up along through the Hudson Valley; and she selected for the march of her combining armies the same avenues through which commerce now pours its full tide, where the savage made his war path, and where she had struggled with her ancient foe during the French War. New York was invaded simultaneously through the valley of the Upper Hudson by her disciplined troops under Burgoyne, by her fleets ascending the river, under Clinton, and by her savage allies under Saint Leger, who were to exert all their forms of warfare, and to combine their strength at Albany; thus to separate the New England States from the rest of the Colonies.

The British power, of twenty thousand well-appointed troops, held in New York, desired, above all things, first, free communication with its army in Canada; second, to obstruct intercourse between the American forces in New England, and those in New Jersey; the third, to gain possession of those large stores, provisions and munitions of war which the Americans had collected, and without which all further resistance against the British must apparently cease. All these ends would be attained by possession of the Hudson River, guarded solely by the cannon that bristled upon Fort Putnam, and the brave hearts who, under Arnold's orders, manned the fortress, perched upon the West Point hills. To wrest that fortress from American hands by superior valor, or by superior power, the British troops had proved unequal. And John André was commissioned to buy with gold what steel could not conquer; to drive a bargain with one ready for a price to become a traitor; to count

out the "thirty pieces of silver," by which British Generals and British gentlemen were not ashamed to purchase the betrayal of a cause, whose shining virtue repelled their power, and dimmed the glory of their arms.

It was no evidence of commendable valor on the part of André this undertaking of a mission which he believed to be an easy task. André, who had known before her marriage the wife of General Arnold in Philadelphia—in which city, at the time, André was a leader in society—entered into correspondence with Arnold and was the agent through whom Arnold bargained, for the price of £6,000 and a commission in the British Army, not only to surrender West Point, but also to turn over to the enemy the person of Gen. Washington, of Gen. LaFayette and all other American Generals he could persuade to be his guests in the Robinson house, his quarters, on the night of September 26, when the British, it was arranged, would make the attack. Gen. Washington and other officers were to be surprised in the dead hour of night, while they slept. Following these important captures, the garrison of West Point was to be given up. Thus the end of the war was to be secured.

The story here related tells in detail how Major André—said by one of his English enthusiastic friends to have been a valuable aid to the British General Clinton, by "putting in motion the whole machine of war,"—was outgeneraled and captured, on his return from Arnold, by three farmer boys of Westchester County, who refused his offered bribes. Papers making clear the treason of Arnold were found upon André's person, who, by his own frank confession, was convicted as a spy and sentenced to be hanged. And thus he died, at Tappan, on the west bank of the Hudson, on October 2, 1780, at the age of twenty-nine years.

Probably no occurrence in American history made as many aching hearts on both sides of the Atlantic; and Washington himself, who signed André's death sentence as a stern matter of duty and of justice, was among the most sincere of these mourners.

Sir Henry Clinton, commander of the British forces in New York, by the most urgent representations to General Washington, tried to save his favorite, but in vain. There was but one way, the surrender of Arnold, then in New York city, to avert the fate decreed to André. This course the British, in good faith to the traitor, could not take.

André pleaded for a soldier's death, but the Americans held in remembrance the fate of the young hero, Nathan Hale, who had been hanged as a spy. André died with heroic firmness and the whole English army went in mourning. André's remains were taken to England and given a resting place beside Kings buried in Westminster Abbey. There are few monuments in the most distinguished Abbey which have attracted more attention than that which commemorates the sad fate of this young man, scarcely out of his youth.

"What had this young man done to merit immortality? The mission, whose tragic issue lifted him out of the oblivion of other minor British officers, in its inception was free from peril or daring, and its objects and purposes were utterly infamous."

John André, born in London, England, was the son of a Swiss merchant. Before he had arrived at the age of twenty years he had become engaged to Miss Honoria Sneyd, a young lady of singular beauty and accomplishments. Her parents forbade the match. Determining to win fame which would soften the hearts of these relentless parents, André, at the age of twenty, entered the British Army, with the avowed intention of making a military reputation for himself, and then, when endowed with honors earned, he would return and claim his bride. 'Tis said he ever wore her miniature in a locket about his neck. He was sent to Canada, was taken prisoner at St. John's, was exchanged and joined the British forces here, and, because of his brilliant characteristics, became a favorite of Gen. Sir Henry Clinton, who appointed him his aide-de-camp, and soon after his Adjutant-General.

Young, handsome, clever, full of gayety, an artist and a poet, André was the life of the British Army. While the troops of Gen. Washington were naked and starving at Valley Forge, André was the leader of revels in Philadelphia. When the British soldiers evacuated that city and went to New York, André went with them and, as before, he was the master of revels.

Benedict Arnold was born at Norwich, Conn., January 14, 1741. He came of good stock. His father, Capt. Benedict Arnold, was a seaman, running a trading vessel; his grandfather, also Benedict Arnold, was the second Governor of Rhode Island. The father died when he, one of many children, was but seventeen years of age, at a time when he was, as

described, "An uncommonly active, saucy, roguish and impetuous lad, showy and ostentatious, rash, headstrong, regardless alike of friends and foes." His father left the family "poor but respectable," and the mother endeavored to do her best for a large family. Benedict 3d was not a student; on the contrary he detested schools on principle; he was of a restless, roving disposition. At the age of fifteen he ran away from home to serve in the French War. Through the exertions of his mother, he was made to return and go to work as an apprentice to a druggist, a relative. After serving his apprenticeship, he opened a drug store on his own account in New Haven, Conn. He proved to be a bad business man, and through neglect and personal extravagance he met failure.

When the Revolutionary War broke out, Arnold deserted the drug business and his creditors, and at the head of the "Governor's Guard" hurried to the front where battle raged—he loved tumult and adventure.

In June, 1778, when Philadelphia was evacuated by the British, General Washington placed Arnold in command of that city; the latter was incapacitated for active service by the wound he had received at Saratoga. This step brought Arnold into direct contact with Congress and the Executive Council of Pennsylvania, and doubtless with the proximate causes of his treason. It required certain tact to deal with men composing these distinct official bodies, very different from that which had distinguished Arnold in the field. Arnold was blunt and self-willed, and deficient in tact. He was accordingly soon at loggerheads with the State government, and lost, besides, much of the personal popularity with which he started. His acts caused him to be mobbed on the streets. It was charged against Arnold that the extravagance of his style of living was an offence against republican simplicity and a scandal in view of the distressed condition of the country; that in order to obtain the means of meeting his heavy expenses he resorted to peculations and extortion; and that he showed too much favor to the Tories. These charges were doubtless not without some foundation; no one in Philadelphia kept a finer stable of horses or gave more costly dinners than General Arnold. He would have the best, regardless as to who paid the bills. The charge of favoring the Tories may find its explanation in a circumstance which possibly throws some light upon his lavish use of money. Miss Margaret Shippen, a daughter of a gentleman

of Tory sympathies, who afterward became Chief Justice of Pennsylvania, was one of the most beautiful and fascinating women in America, and at that time the reigning belle of Philadelphia. When the city was in control of the British, under Gen. Howe, she had as her ardent admirer the ill-starred Major André, and no sooner had Arnold, the new commandant, arrived at his post than he was also taken captive. The lady was nineteen years of age, while Arnold was a widower twice her age, with three sons; but his handsome face, his gallant bearing, and his splendid career outweighed these disadvantages, and in the autumn of 1778 he was betrothed to Miss Shippen, and thus entered into close relations with a prominent Tory family. For a time he lived in a Tory atmosphere; that, under the circumstances, he should gradually have drifted into the Tory position was, in a man of his temperament, almost inevitable. His nature was warm, impulsive and easily impressible, while he was deficient in breadth of intelligence and in rigorous moral conviction; and his opinions on public matters took their hue largely from his personal feelings. It was not surprising that such a man, in giving splendid entertainments, should invite to them the Tory friends of the lady whose favor he was courting. His course excited the wrath of the friends of the Continental cause; Gen. Reed, of Pennsylvania, wrote indignantly to Gen. Greene that Arnold had actually given a party at which "not only common Tory ladies, but the wives and daughters of persons proscribed by the State, and now with the enemy at New York," were present in considerable numbers. Arnold's conduct invited severe criticism, and he received it strong. In answer, the impulsive Arnold suddenly decided to resign his post and leave the army altogether. He would quit the turmoil of public affairs, obtain a grant of land in western New York, settle it with his old soldiers, with whom he had always been a favorite, and lead henceforth a life of Arcadian simplicity. In this mood he wrote to Gen. Schuyler, in words which to-day seem strange and sad, that his ambition was not so much to "shine in history" as to be "a good citizen;" and about the first of January, 1779, he set out for Albany to consult with the New York Legislature. His scheme was approved by John Jay and others, and in all likelihood would have succeeded; but as he stopped for a day at Morristown, N. J., to visit Gen. Washington, a letter overtook him, with the information that as soon as his back had been turned

upon Philadelphia he had been publicly attacked by the president of the Pennsylvania Council. Formal charges were brought against him, alleging improper conduct while in command at Philadelphia. These charges were promulgated in a most extraordinary fashion by the said Council's president. Not only were they laid before Congress, but were sent to Governors of all States with a circular letter requesting the Governors to communicate them to their respective Legislatures. Arnold was naturally enraged at such an elaborate attempt to prepossess the public mind against him, but his first concern was the possible effect it might have upon Miss Shippen. He instantly returned to Philadelphia, and demanded an investigation. He had obtained Gen. Washington's permission to resign his command, but deferred acting upon it till the inquiry should have been ended. A committee of Congress made a report which Arnold considered vindicated him; then he resigned his command. But the president of the Pennsylvania Council insisted on a further investigation, claiming he had more and greater damaging evidence to convict. Congress ordered a court-martial to try Arnold, much to his disgust, claiming that he was being persecuted by enemies who could not use him in his official position. The vials of Arnold's wrath were now full to overflowing; but he had no cause to complain of Miss Shippen, for their marriage took place in less than a week after the action of Congress. Gen. Washington, who sympathized with Arnold's impatience, appointed the court-martial for the first of May, but by the pleadings of the Council of Pennsylvania the hearing was put off from time to time, much to Arnold's annoyance. All the time Arnold kept clamoring for a speedy trial, and his opponents were putting it off on plea that time was needed to gather evidence. Gen. Washington did his best to sooth Arnold. It is believed to have been about that time, at the height of his rage against Congress for what he considered Congress' ill-treatment of him, in April, 1779, that he wrote a letter to Gen. Clinton, commander of the British forces in New York, in disguised handwriting and under the signature of "Gustavus," describing himself as an American officer of high rank, who, through disgust at the French alliance and other recent proceedings of Congress, might perhaps be persuaded to go over to the British, provided he could be indemnified for any losses he might incur by so doing. The beginning of this correspondence in February, 1779—if that

was really the time—coincided curiously with the date of Arnold's marriage, but it is in the highest degree probable that down to the final act of treachery Mrs. Arnold knew nothing whatever of what her husband contemplated, though one or more historic writers pretend to believe that she, inspired by Tory sympathies, urged her husband to desert a "lost cause" and join fortunes with her loyal Tory friends.

In his rage it would be easy, probably, to persuade him to forsake such a thankless nation. His Tory friends had cited examples of celebrated persons who had accomplished great ends by swinging their power from one party to another. They told him that by giving his aid to England, the colonies would be restored to peace and prosperity, and that all parties would thank him for this service, and moreover, he could control negotiations with the English government.

The deliberations of the court-martial ended with finding Arnold guilty of certain minor charges, and sentenced him to be reprimanded by the Commander-in-Chief. It is needless to say the reproof was administered by Gen. Washington with as much delicacy as possible, and at the same time he offered Arnold the post of honor in the next campaign. But it was too late. His passionate nature had been goaded beyond endurance by the public disgrace that had been put upon him. He therefore refused the great honor which Gen. Washington offered him, pleading ill-health as an excuse, and petitioned that he be given the position of command at West Point instead. He would bring about the crisis of the Revolution by betraying his country and delivering West Point to the British.

Arnold's correspondence with Gen. Clinton, the British commander, had been kept up at intervals, Gen. Clinton's replies being written by Major John André, his adjutant-general, over the signature of "John Anderson." Nothing seems to have been thought of at first beyond the personal desertion of Arnold to the enemy; the betrayal of a fortress was a later development of infamy. For the present, too, we may suppose that Arnold was merely playing with fire, while he waited the result of the court-martial. For him the summer, while he waited, was not a happy one, especially for a bridegroom; his debts went on increasing, and evidently he saw no way out, without selling even his honor. Gen. Washington, in giving him command at West Point, gave him the strongest proof of unabated confidence and esteem which it was in his power to give. Gen.

Schuyler wrote him a most affectionate letter, and others of his brothers in arms gave evidences of sincere sympathy.

Congress had most grievously and shamefully insulted and abused Generals Washington, Greene, Schuyler, Morgan and others loyal to the American cause, but these did not consider their unjust treatment sufficient cause for turning traitor to their country.

While the name of Arnold is forever a synonym for treason, the fate of André yet excites commiseration. Arnold missed the one chance to restore himself in a degree, at least, to the consideration of mankind. He should have proven true to Gen. Washington's confidence and thus put to route his enemies when the opportunity was afforded him, instead he chose to turn traitor and if necessary sacrifice the life of the large-hearted Washington, his benefactor. Then again, after his unsuccessful attempt to betray his country and deliver West Point into the hands of the enemy, and his escape to New York, he might have delivered himself to Gen. Washington and demanded André's exchange. But he did not. He chose to follow the baser course.

As we have stated, the charitably disposed profess to believe that Mrs. Arnold was ignorant of her husband's intention of turning traitor; we are told how she fell in a swoon on her husband telling her that all had been found out and he had to escape to save his life. Gen. Washington, in keeping with his reputation for kindness at all times, directed that the news of Arnold's escape on the British vessel be conveyed to the wife in the gentlest manner, and that she be permitted to follow her own harmless inclinations after the flight of her husband. It is stated that after recovering from an illness into which she was thrown by the shock, she rejoined her husband in New York city, and later went with him to England, where she was respected, notwithstanding the unfavorable opinion held of her husband.

Immediately after arriving in New York and being assured of the reward of his treachery, Arnold issued a statement justifying himself and advising other Americans to do as he had done, and making glowing offers to deserters. He was sent out of New York at the head of British forces to make war upon his countrymen. He burned Richmond, Va., and in a raid upon New London, Conn., where he had spent many of his boyhood days, he did great damage by fire. His hatred of former friends

evidently knew no bounds. The Americans tried hard to capture him, and he knew that in case of his capture his life would pay the forfeit.

Following the surrender of Cornwallis, he was sent to London to counsel with the ministry regarding the carrying on of the war. He was disappointed at his reception in England, for, though the king and court received him with favor, the Liberals denounced him as a renegade and betrayer of his trust. The officers of the British army considered his conduct unbecoming an officer and gentleman, and he, therefore, as being unworthy of their confidence and trust; for this reason it was found impossible to give him employment in the army, to which he had looked forward so eagerly. He served England in the West Indies war difficulties, and in 1798 he asked for military service, which was denied, even after he had petitioned it. This refusal was the cause of his breakdown, and shortly afterward he died, at the age of sixty years. In later years sons of his were given places in the British army, and did good service in an endeavor to redeem the family name from disgrace.

The monument erected at Schuylerville to mark the spot on which the Battle of Saratoga was fought contains four niches in which to place the life-size statues of the four heroes of that battle; three of the spaces are filled and one niche, facing the south, is left vacant; it should have been occupied by the statue of Arnold.

On the wall of the old chapel at West Point there is a marble tablet bearing this inscription:

Major General .....
Born 1740
Died .....

Joshua Hett Smith, who figured prominently as the messenger between Arnold and André, as the one who took André in a rowboat from the British war-vessel, "Vulture," and at whose house Arnold and André met and plotted, and who piloted André a part of the way back to New York city, was subsequently arrested under orders issued by Gen. Washington, at the home of his brother-in-law, in Fishkill. He was tried as an accomplice of André; in fact was twice tried on different charges, with similar bearings, his first trial miscarrying. At

the second trial, for conspiracy, he was condemned; he was sent to Goshen, Orange County, for safe keeping, but succeeded in escaping from the insecure place in which he was confined; he reached a place of safety within the British lines in New York city.

Smith was a resident of Haverstraw, in Rockland County, and very well connected, rich if not wealthy; was a lawyer by profession, as were two of his brothers, one of the latter, William Smith, was the Tory Chief Justice in New York city. The daughter of Thomas Smith, another brother, married John C. Spencer, who was Secretary of the Navy in 1842.

Joshua H. Smith is credited with having had some ability as a lawyer, as ever being cool and self-possessed. He conducted his own defence in each of his two trials. His political views were a mystery. He was friendly with those fighting for the American cause, yet his friendliness did not always invite confidence of loyal Americans. Col. Lamb, commanding artillery at West Point would not visit him, although they were relatives, as the Colonel said he deemed Smith a Tory, secretly in league with Tories. After events proved the Colonel to be not far from right.

Smith was shrewd, and he planned wisely in arranging to cover up his tracks as he went along; he knew he could serve the Tory interests best by an outward appearance of being helpful to the loyal American cause. At Smith's trial prominent loyal American citizens came forward and testified that Smith proved his loyalty by, on two occasions, loaning one thousand dollars to aid the struggling Americans.

Smith's house, where Arnold and André met, was situated on what is now known as " Treason Hill," Haverstraw.

In 1808, Smith published a book, entitled "An authentic narrative of the causes which led to the death of Major John André," in which the writer undertook to justify his own acts. This book was first published in England, where Smith went after leaving New York city. Later he returned to this country, and being still possessed of that self-assurance characteristic of him, he attempted to conduct a school in Haverstraw, but public opinion succeeded in driving him out of that place. He died in 1818.

It was in commemoration of the manly actions of Paulding, Williams and Van Wart that the monument in Tarrytown was erected, *not* to honor André. The oft-accepted idea that such

monument is there to keep alive the memory of the accomplice of the archtraitor Arnold is far from the truth—the sole purpose of erecting such monument was to show appreciation of the acts of honest Westchester County yeomen, to honor the men who captured André, considered a British spy.

Paulding and Van Wart, young men, were cousins. Williams, the oldest, was not quite twenty-three years of age. To Williams, in particular, history is indebted for many minute details about the capture of André and the events leading up to it.

Williams, in his writings, made a strong statement to disprove the charge that he and his companions were "Cowboys" or "Skinners." Paulding and Van Wart likewise made similar statements, claiming the charge to be unjust and without foundation; that on the eventful September day they were militiamen, regularly detailed for a special duty, to punish Cowboys or other marauders, employed in robbing people in the neighborhood.

André and Williams had met before, though neither of them were aware of it when they met at Tarrytown September 23; when André was captured at St. John's in 1775, Williams was a soldier of Gen. Montgomery's command.

Paulding, who entered active service after André's capture, was wounded, a third time captured, and was in a British hospital until the end of the war.

Paulding died in 1818, and was buried in the old Van Cortlandtville Cemetery, in Peekskill; Isaac Van Wart died ten years later, and his remains rest in the old Greenburgh church-yard, at Elmsford, both final resting places being in this county. David Williams removed to Livingstonville, in Schoharie County, in this State, where he died in 1831, and was buried in the old stone fort at Schoharie Court House. All lived to ripe old age, and they and their descendants were greatly respected.

George Paulding, the eldest son of John Paulding, was for many years an Alderman and leading citizen of New York city.

John Paulding, a namesake of his grandfather and son of George Paulding, born in New York city, represented a Long Island district as Assemblyman in the State Legislature of 1863.

Hiram Paulding, another son of John Paulding, was a Rear-Admiral in the United States Navy at the time of his death. He was born in this county, in the town of Cortlandt, on

December 11, 1797, and when fourteen years of age, in 1811, he was appointed by President Madison as a midshipman in the Navy.

In part recognition of the heroic deeds of John Paulding, a torpedo boat, built for the United States Navy, in 1909, was named "Paulding." In April of that year, the boat was launched at Bath, Me., and was christened by Miss Emma Paulding, daughter of the late Rear-Admiral Hiram Paulding.

THE CRISIS PERIOD.

September, 1780, found our struggling countrymen laboring under discouraging conditions. Charleston had fallen, and Gen. Gates had been disastrously defeated. With the route of his army, the whole South had come under the enemy's control. New Jersey was overrun, and twenty thousand men, veterans of European battlefields, were gathered in New York. The French fleet had sailed away, a large reinforcement arrived to the British navy, and Washington's cherished plan of a demonstration against the city of New York had to be abandoned. The only American force worthy the name of an army—numbering less than twelve thousand, suffering from long arrears of pay, without money to send their starving families, and short of every kind of supplies—was encamped near Peekskill, at and about West Point. This critical moment was selected by Arnold with devilish sagacity to strike his deadly blow. Elated by the success which had crowned his earlier efforts, he indulged too freely his love for intoxicating liquor, running into excesses which left him without a command, bankrupt in fortune, at odds with Continental officers, and smarting under the reprimand of Congress. He was ripe for revenge, not only upon those whom he considered had offended him, but also upon the cause for which he had fought, and upon his country, and his people. He still retained the confidence of General Washington, and, anxious to secure the largest prize for his treason, applied for, and obtained, the command of West Point.

It was on the promise of Arnold to correct his habits and assert his manhood that General Washington agreed to give the West Point assignment. It was in the American Army headquarters in Peekskill, in this county, that Arnold received it. In the same building where Alexander Hamilton and Aaron Burr had received their commissions and became members of

General Washington's staff. Arnold, in 1778, swore allegiance to the American cause.

The surrender of West Point, controlling the passes of the Hudson, with its war materials, vital to the maintenance of the patriot army, and its garrison of four thousand troops, together with the person of General Washington and staff, ended, in his judgment, the war, and gave him—Arnold—a conspicuous place of honor in history. (He received the conspicuous place for certain, but not as he planned.)

All parties recognized as a fact that the success or failure of the united colonies forming an independent government depended, from the beginning to the end of the contest, on the State of New York. For this reason the holding of West Point was all important to both armies.

Letters written by Arnold, after assuming command of West Point, to Major André occasionally imparted valuable information, to indicate his importance. Thus he acted as a spy in the interest of the enemy. A friendly agent in whom Arnold had confidence and selected by him, acted as messenger in delivering and receiving the letters.

These letters, phrased in the terms of trade, relative to the sale of merchandise, were really disputing about the price, not of wares of trade, but about the price of the betrayal of the liberties of America and a human soul.

Eighteen months before André's visit to Arnold, the latter began writing these letters. When the time came for completing arrangements for the surrender of West Point, Arnold asked that André be permitted to meet him, instead of the officer Gen. Clinton, the British commander, had intended sending.[1]

The first meeting with the enemy arranged by Arnold to perfect his treacherous plans, on September 12, in Dobbs Ferry, in this county, failed, and Arnold came near being captured. With rare audacity he reported his visit at once to General Washington, and the next day wrote a letter to General Greene,

[1] It was necessary that a meeting should be held for settling the whole plan. Arnold seemed extremely desirous that some person who had Gen. Clinton's confidence might be sent to him; some man, as he described in writing, "Of his own mensuration." Gen. Clinton later said, "I had thought of a person under this important description who would gladly have undertaken it, but his peculiar situation at the time, from which I could not release him, prevented." Arnold, for reasons of his own, insisted that André should be the person sent. André knew West Point and surrounding country quite well, having been there in 1777.

expressing bitter indignation against General Gates (for whom he held an old grudge, dating back to the battle of Saratoga, previous to the battle when General Gates was forced to order Arnold's arrest for misbehavior) for his southern defeat, and the apprehension that it would leave an indelible stain upon his reputation.

It was on the morning of the day Gen. Washington left the West Point military headquarters to go to Hartford, Conn., to visit the French General Rochambeau, that Arnold met Washington and accompanied him part way, taking his chief over the river, in his barge, to Verplanck's Point, in this county. Arnold than had in his possession a decoy letter from the Tory Beverly Robinson,[1] ostensibly about his confiscated lands, really conveying information where an interview with André might be had; Arnold asked Gen. Washington for permission to go in answer to the summons, but Washington declined, saying the matter had better be left to the civil authorities.

An overruling Providence was protecting the patriotic cause, and weaving about the plot the elements of its exposure and destruction.

Baffled, but not disheartened, Arnold, lurking in the bushes of the Long Cove, below Haverstraw, sent his friend Joshua Hett Smith and two oarsmen, in a rowboat, to the British war vessel "Vulture," to bring André to the shore and to Arnold's hiding place. The "Vulture"[2] had brought André from New York, arriving September 21, and the vessel laid at anchor opposite Croton Point, in this county. It was in the night of that day, under cover of darkness, that Smith and his oarsmen visited the British war vessel; they were roughly handled on the vessel for daring to approach without a flag of truce; on explaining that their business was with André, they were taken before him. André expressed his willingness to go to Arnold with Smith. His anxiety to be about this diabolical business overshadowed his caution. He forgot the admonition of his commander, Gen. Sir Henry Clinton, directing that he was "not to go within the American lines, not to cover his uniform, not

[1] Beverly Robinson, whose estates, including the Robinson House, had been confiscated, was an intimate friend of Gen. Washington before the war; the friendship terminated when Robinson with other Tories organized and equipped a regiment of "loyal Americans" to aid the British and Robinson went to reside in New York City. After the war he went to England, where he died.

[2] The "Vulture" was a third-rate vessel, carrying fourteen guns, and had long been in the British service, and possessed an eventful history.

to be the bearer of any papers." It is presumed that the British General contemplated that a meeting between Arnold and André might take place on board the British war vessel "Vulture." But if such was his desire the impetuosity of his youthful Adjutant-General defeated it. André decided to disguise his uniform in a cloak and accompany Smith ashore.

The master mind of Arnold influenced him against running chances of harm coming to him if he visited the British vessel, therefore he determined that the British officer should come to him where they could alone haggle over terms.

Doubtless André, if he thought of the danger at all, realized what would be his fate if discovered within the American lines, arrested and held as a spy. But he heeded not; he was ambitious to make a great name for himself by the success of his bold undertaking. As a result, he perhaps thought, he would not only receive the plaudits of his fellows in the British army, but also would be recognized by the English government and rewarded by receiving high distinction in military or civil position, and his name be enrolled among the heroes of the English nation. Endowed with great honors, he would return to his home and claim his charming bride. This dream probably inspired the youth.

Though admitted to be brilliant, accomplished, captivating and ambitious, his dealings with Arnold revealed a serious defect in his character; his moral sense was paralyzed in the presence of great opportunities.

André accompanied Smith in the rowboat to the shore, on the west side of the river, landing under the mountain near Haverstraw,[1] where Arnold, in a thicket near by, was hiding. In this obscure place Arnold and André argued until nearly day dawn, when Smith came and asked them to go to his house nearby where they could talk undiscovered; Smith had sent his family to Fishkill to visit a brother-in-law living in that place, so that the two conspirators could plan in secret.

When the day broke, following André's leaving the "Vulture," several patriotic farmers discerned the British war vessel lying close to Teller's Point, opposite Haverstraw. Two of these farmhands, George Sherwood and Joseph Peterson,[2]

[1] Haverstraw in 1780 was a rural hamlet, in that section of Orange County now known as Rockland County.

[2] Peterson is described as a mulatto, belonging to Col. Van Cortlandt's regiment, Third Westchester Militia; he died in Tarrytown at the age of 103.

decided, as they afterward said, "to go to the shore and have a shot at the Britishers," with their flintlock muskets. A small boat from the vessel put out after them; the honest, patriotic yeomen kept up their fire and succeeded in fatally wounding one of the crew, when the balance turned about and retreated to the war-vessel. The action of the farmers attracted the attention of Col. Livingston,[1] in command of Fort Lafayette, at Verplanck's Point. He determined promptly to fire on the vessel, but was refused by Arnold the use of a heavy gun; a lighter gun, a four pounder, had to be used, and with it he sent a squad of soldiers to the Point, with orders to open fire upon the "Vulture" as soon as they arrived within range. This they did, and in so doing rendered an inestimable service to their country, and, as has been justly said, history has failed to record the fact sufficiently forcible, and give credit. These attacks from the shore compelled the "Vulture" to raise her anchor and drift further down stream, again anchoring, opposite Croton Point (in this county). This shift of position on the part of the "Vulture" proved to be André's undoing, as it prevented his return to the boat, as none of the local boatmen would attempt to approach the "Britisher" now looked upon with general suspicion; even the venturesome Smith would not undertake it.

Arnold and André remained in Smith's house until nearly nightfall. By that time Arnold had succeeded in driving the best bargain possible; the price for Arnold's intended treachery, payable on its consummation, was to be six thousand pounds, in coin of England, and a Brigadier-Generalship in the British Army. In return for this promise, Arnold gave André all information relative to the situation at West Point, together with important papers giving the plans, fortifications, armament, number of troops at West Point, and the proceedings of Gen. Washington's last council of war. These papers, of inestimable value in the hands of the enemy, were placed by André in his boots, between his stockings and his feet. Arnold, further, gave assurances that the defences at West Point would be so manned as to fall without assault on the part of the British; and further, that the person of Gen. Washington would be seized.

[1] Colonel James Livingston was born in 1747, and died in Saratoga County, November 29, 1833. He was a relative of Mrs. J. H. Smith.

To Livingston Gen. Washington wrote, "It is a source of gratification to me that the post was in the hands of an officer so devoted as yourself to the cause of your country."

The well-known late Mrs. Elizabeth Cady Stanton, long a resident of Westchester County, was a granddaughter of Col. Livingston.

André in return assured Arnold that he would receive, on his carrying out his portion of the contract, the reward they had agreed upon. Ambitious André, in parting, remarked to Arnold that he hoped that when they again met it would be at the surrender of West Point, and that he, himself, would have the honor of receiving Arnold's sword.

When it was found that the "Vulture," necessarily, had moved down the river, some other route had to be decided upon for André's reaching the British lines in New York city. Smith agreed to accompany André as guide along the overland route, as far as White Plains in Westchester County. Arnold provided passes for André, still further disguised, who was to travel under the assumed name of "John Anderson," for Smith and for Smith's colored servant.[1]

As André and his party started for the ferry to cross over to Verplanck's Point, Arnold started on his return to headquarters in West Point.

It was on the 22d day of September that André started on his eventful journey southward. Smith provided three horses from his own stable, and most gaily André rode away. The vision of great glory won by peculiar valor was before him, and the thought of how he had tricked the unsuspecting Americans, made him gay.

Smith was confident he could pilot André safely through the American lines by aid of Arnold's passes, and probably his safety would have been assured if Smith had continued with him all the way through to the New York city line. But an all-wise Providence planned otherwise.

Smith visited the Van Cortlandt mansion, at Croton, at the outset of their journey, and attempted to get a Continental officer's uniform, to disguise André, from Mrs. Cornelia (Van Cortlandt) Beekman, and fortunately was outwitted by that patriot lady.[2]

Arnold's passes carried André and party safe through the patriotic Col. Livingston's camp, at Fort Lafayette, which was located on the top of the hill overlooking Verplanck's Point, near where now the Bleakley residences stand. From here André started going along the King's Ferry road, which intersects the Albany Post road (at present), at Munger's store;

[1] These passes and papers found on André are now the property of this State, and are preserved at Albany.

[2] See details under title Town of North Castle.

thence north on the Albany Post road to Peekskill by the way of South and Division streets to what is now the Post Office corner; at this point they took the Crompond road. On the road André had a narrow escape from being recognized by Col. Samuel B. Webb, of a local American regiment, who had for some time been a prisoner of the British in New York city; the Colonel and André met on the road. André knew the Colonel immediately, but the Colonel, to André's great satisfaction, passed André by as a stranger. André stated later that he was never so " scared " in his life, every moment he expected the Colonel to expose him, as the Colonel had met him often in New York; certainly the Colonel did not expect to meet so important a British officer in such a place at such an hour early in the morning, as André and Smith had traveled all night.

At Crompond, near the place where J. Horace Teller's farm is situated, Capt. Ebenezer Boyd,[1] of the Westchester County Militia Company, met them and inquired for their passes, and it being late at night did not think it well for them to proceed. The Captain was plainly suspicious, but Arnold's pass had to be taken into consideration, and the explanations of André were most plausible. The Captain's recommendation that they remain all night in that vicinity was so significant that they concluded to remain—but the delay was fatal to André the next day. They were directed to the house of Andreas Miller, close by, where they secured lodgings for the night. It is learned in the vicinity that this Miller house remained as it was until a few years ago, when it was torn down; Miller sold the property to Gilbert Strong, and he to Abram Requa, and later the land was sold to Cortlandt de Peyster Field, of Peekskill, who now owns it.

At daybreak the next morning André and his party left Miller's house, not stopping for breakfast, and passed on their way under the watchful eye of Capt. Boyd. Their breakfast they obtained at the house of Isaac Underhill, on the old road leading to Pines' Bridge. Mrs. Underhill, the hostess, had lost her all, but one cow and a bag of meal, by a raid of the " Cowboys" the night before, but with true County hospitality she spread before them the time-honored Westchester dish of suppawn and milk. The Underhill house is still standing.

[1] Capt. Boyd was an honest soldier, of Scotch descent, born in Bedford, this county, in 1735. He died at Boyd's Corners, June 29, 1792.

It was after reaching Underhill's at Pines' Bridge that Smith began to get weary of his job as pilot. He informed André that his way was now plain and direct, that he no further needed a guide. He had promised Arnold that he would accompany André as far as White Plains, in Westchester County, fifteen miles distant from the Underhill place. Why Smith refused to go further south with André has never been fully explained; probably he feared his own arrest as one assisting a British officer to escape through American lines, and his true character as a Tory be exposed. He left André to find his way the best he could alone through a region he knew nothing of. Smith returned to Crompond, and from there to Arnold's headquarters to report "all's well with André" on his march to New York. His report allayed Arnold's anxiety, and then, in the easy and shiftless character of every body's friend, Smith journeyed on to Fishkill and supped with Washington and his staff.

We left André, deserted by Smith, riding gayly along toward a haven of safety within the British lines, without fear of danger. He decided to change the course first laid out, and strike for the river; it was a shorter road, and from the Cowboys who infested it he had nothing to fear, and he was confident his disguise would prove a protection. It appears as if Providence was still leading him to the fate that was to reckon with him for evils committed.

After parting with Smith, André took the road passing the Underhill house on to Pine's Bridge, crossing the river he followed the road along the south bank, a short way, until he came to Hog Hill; ascended the hill to Underhill's Corners, about three miles from the bridge; he next proceeded along the road that led into Chappaqua; on the way he came to the residence of Stevenson Thorne, where he stopped to enquire the way, as he was in doubt as to the road he should take to reach New York. Seeing Jesse Thorne, the twelve-year-old son of the house, André asked him the way to Tarrytown; the boy called his father to answer the stranger, the father gave the desired information, and André went on his way to Tarrytown and his fate. Had he continued on the Chappaqua road he might have reached New York and escaped capture. Out along Kipp street to Hardscrabble road André went, and the way looked smooth before him. At the house of Sylvanus Brundage, in Pleasantville, he stopped to water his horse; from thence he

passed on to the old Bedford road, and down to Rossell's Corners, now Mekeel's Corners; here he turned to the left and proceeded until he came to the residence of Staats Hammond, the miller, where he stopped and asked for a drink of water; a fourteen-year-old son, David Hammond, who was asked the distance to Tarrytown, told André that there was a party of scouts at Young's Tavern, a short distance down the road; this alarmed André, who turned about and retraced his steps as far as Rossell's Corners, where he started on a new course, going over the old Bedford road, to Tarrytown Heights and continuing along to the old Albany Post road, which led him to Tarrytown, and into the hands of his captors.

Here let us stop and become acquainted with the captors and their companions—who they were and how they became stationed so as to make André's capture possible.

On Friday, September 22, just after the noon hour, a number of young militiamen, belonging to the First Westchester Militia, at the suggestion of John Yerks, one of their number, agreed to form themselves into a squad of scouts; through John Paulding, another of their number, they gained the consent of their officers. Their purpose was the extermination, if possible, of Cowboys or others found driving stolen cattle toward New York city, and thus perform important service for their country. In this little band, that started out from Salem, in this county, were John Yerks, John Dean, John Paulding, James Romer, Isaac Van Wart, Isaac See, and Abraham Williams. Passing the place of Joseph Benedict where David Williams was working, the latter recognized them, and on learning their purpose he asked that he might go along, as he had a little matter of his own that he wanted to settle with the Cowboys; his friend and neighbor, named Pelham, had been robbed and murdered by Cowboys the day before; the second Williams thus joined the party. The "boy-scouts," as they might be called, slept that night in John Andrews' hay barn, in Pleasantville, a short distance from where stands the present Methodist Church, in Pleasantville. Reaching the outskirts of Tarrytown at about 7:30 in the morning of that eventful Saturday, they stopped at the home of Jacob Romer, father of James Romer, one of the "scouts," where they had breakfast, and Mrs. Romer put up dinners for them in a large basket. At nearby Jacob Reed's house they obtained playing cards, to assist in passing time away while on the watch for the enemy. Here the party divided

into two squads to stand guard over the two principal thoroughfares leading to New York city. John Dean (born in 1755, resided in Tarrytown after the Revolution and died there on April 4, 1817, from injuries received in a skirmish at King's Bridge in 1781) arranged the assignment of men to their respective posts. Williams, Paulding and Van Wart were given a post on what was known as the old Albany Post road, near the spot where stood an enormous white-wood tree, 112 feet high (this tree was destroyed by lightning July 31, 1801, the same day news reached here announcing Arnold's death in London), south of the small stream known as Clark's Kill, but more recently as André Brook, near where, at that time, the old Bedford road came into the Post road. The other five men were stationed to watch the old Bedford road on Davis Hill. The two parties of watchers were within hailing distance, and it was understood between them that either party needing assistance should fire a gun. Justice Dykman, in his narrative, states, as a curious fact, that André rode past the five "scouts" stationed on Tarrytown Heights watching the Bedford road, as he came from Davis' Hill, before he reached Paulding, Williams and Van Wart, and was not challenged.[1]

Unsuspicious of danger, André rode along quite cheerfully. He had been able to avoid Cowboys and all other guerrilla bands, and was greatly pleased to know he was so near the British lines, in fact he half suspected, as he stated later, each moment to meet a detachment from the British army prowling about thus far up in Westchester County. This expectation doubtless suggested the first remark André made on coming up to the three patriots who were to be his captors. He passed the old Sleepy Hollow Reformed Church, and over the bridge where tradition says the headless horseman rode, along Broadway, or the old Post road, in Tarrytown, until he came to the spot, along side the brook, where his progress was intercepted.

Paulding, William and Van Wart were lounging on the south side of the brook, sheltered by the bushes, when the sound of André's horse's hoofs on the road was heard; Paulding stepped out into the road, held up his musket [2] and commanded the horseman to halt. This occurred at about nine o'clock A. M.,

[1] Under the law, the captors were permitted to retain all the prisoner's property found upon him. Such was returned to André by order of Gen. Washington.

[2] Van Wart says all three presented their guns.

and Paulding and his friends had been on duty only one hour. An earlier start, a swifter pace, and André would have escaped; but this was still another of the trivial incidents in the fatal combination about him.

André halted, and his pleasant smile gave no evidence of annoyance; in a cheerful voice he called out, "My lads, I hope you belong to our party," [1] "Which party?" they said. "The lower party," he answered. "We do." "Then thank God," said he, "I am once more among friends. I am a British officer, out on particular business, and must not be detained a minute." Then they said, "We are Americans, and you are our prisoner, and you must dismount." "My God," he said, laughing, "a man must do anything to get along," and presented Arnold's pass. Had he presented the pass first, Paulding said afterward, he would have let him go. They carefully scanned it, but persisted in detaining him. He threatened them with Arnold's vengeance for this disrespect to his order; but, in language more forcible than elegant, they told him "they cared not for that," and led him to the great white-wood tree, under which he was searched. As the fatal papers fell from André's feet, Paulding in amazement exclaimed, "My God, here it is," and, as he read them, shouted in high excitement to his comrades, "By God, he is a spy."

This was to André the critical moment; how was he to be released from his terrible predicament? The promise of gold and position had succeeded in bribing a trusted General, would gold also tempt these three young country lads? but one of whom could read. He decided to offer the bribe. "If you will release me," said André, "I will give you a hundred guineas and any amount of dry goods." "I will give you a thousand guineas," he cried, "and you can hold me hostage till one of your number conveys a letter from me and returns with the money you will get in New York."

Then Paulding swore, "We would not let you go for ten thousand guineas." That decision sealed the fate of André and ensured the success of the American cause. All honor to Pauld-

[1] His fatal blunder, which led to André's undoing, was his loss of mind. Instead of asking this fatal question, he should have presented the pass which had brought him safely through many dangers. Undoubtedly the pass would have been accepted, and he be allowed to pass on. Gen. Hamilton, in later commenting upon this, said, "Instead of producing Arnold's pass, which would have extricated him from our parties, and could have done him no harm with his own, he asked the men if they were of the 'upper' or of the 'lower' party."

ing and his comrades Williams and Van Wart, say a grateful people.

As Grant Thorburn wrote, in 1840, relative to the sum of money André offered his three captors, "This sum would have made the three so rich that they could have owned more live stock than Job of old, in the height of his prosperity. The very magnitude of the sum may have over-reached its object. It is highly probable no one of the three had ever possessed a hundred guineas at any one time."

Williams, of the captors, writing in 1817, said: "We refused to accept his bribes, unless he would say from whom he got the papers. He refused to say."

To the imprudence of André himself, more than to anything else, is attributed his capture. One with a cooler head might have been successful.

After André's capture, the others, the five scouts on Tarrytown Heights, joined Paulding, Williams and Van Wart, and all, with André as their prisoner, started for Col. Sheldon's camp, the nearest American post.[1]

The route taken to Col. Sheldon's headquarters, at Robbin's Mills (later known as Kensico) in the town of North Castle, was (as stated by Justice J. O. Dykman, in his narrative) as follows:

"They passed along to the north on the hill west of the county almshouse, up that road, under Buttermilk Hill, across the Sawmill river at the bridge just below the mill. Passing up the road near Raven Rock, they went to the corner at the late residence of Carlton Clark. Turning to the right they ascended the hill to the Upper Cross Roads, down another hill, past Ebenezer Newman's, across the hollow now traversed by the Harlem Railroad, and up Reynold's Hill on the White Plains road to the old Foshay house. From here they proceeded to the house of John Robbins, where Lt.-Col. John Jameson made his headquarters. They did not find Jameson there, therefore they resumed the march, over the North Castle road, to Sand's Mills (Armonk), in the town of North Castle, which lies not far from the "Heights of North Castle," where the patriot troops camped after the Battle of White Plains. After turning André over to Lt.-Col. Jameson, all the militia "scouts" returned to their respective camps, excepting Paulding, Williams and Van Wart, the immediate captors.

[1] See details under title Town of North Castle.

Lt.-Col. Jameson, into whose charge André was given, as Col. Sheldon was absent from headquarters, though a brave soldier, was easily deceived by the smooth spoken André, who wanted the privilege of writing a letter and having it sent to Arnold, in which he intended giving warning that Arnold might make good his escape. Lt.-Col. Jameson consented to send a letter,[1] and later, at the urging of André, consented that the latter go with the letter to Arnold in company of Lieut. Allen and a squad of men. The papers found on André were to be sent to Gen. Washington, at West Point, by a special messenger. André assured Jameson that he, on reaching Arnold, could convince his accusers that he was not a spy. André saw a way to escape. Maj. Benjamin Tallmadge, of Sheldon's command, as vigilant as honest, who had been absent on duty near White Plains, and returned to headquarters just after André's departure, was not so easily overcome by André's blandishments; the whole affair looked suspicious to him; he remembered that Arnold had at one time asked Col. Sheldon for careful consideration of a gentleman answering André's description, in case such a person should be met traveling along the road, and, as he stated later, "he smelled treachery," as he had but little faith in Arnold. The Major finally prevailed upon Lt.-Col. Jameson to send after Lieut. Allen and have André brought back, which was done, but not until after Allen had trouble with his soldiers, who, owing to André's encouragement, did not want to return him to headquarters. Allen was ordered to send André back, but, unfortunately, was permitted to proceed himself and carry André's letter to Arnold. Allen reached Arnold in the morning; while the messenger sent to Gen. Washington did not reach the General until afternoon. Thus giving Arnold advantage and time to arrange his flight. This is an instance wherein the just were not favored. Had Gen. Washington returned to West Point, from Hartford, Conn., by the route which it was supposed he would take, through Danbury to Peekskill, Arnold would have not even thus been saved. For some reason Gen. Washington returned two or three days sooner than had been expected; and, moreover, he chose a more

[1] Lt.-Col. Jameson felt deeply mortified when he considered his act in warning Arnold and thereby aiding in his escape; under date of September 27, Jameson wrote Gen. Washington a letter expressing strong regret, and asking forgiveness for writing Arnold notifying him of André's capture. This letter Jameson gave to Paulding, one of the captors, to convey to Gen. Washington.

northerly route, through Farmington and Litchfield, so that the messenger failed to meet him.

As Gen. Washington was riding from Hartford the previous night, depressed by the refusal of Count Rochambeau, the French General, to co-operate in his plans, and to be overwhelmed on the morrow by Arnold's astounding treason, all along the route enthusiastic throngs with torches and acclamations hailed his approach. "We may be beaten by the English," he said to Rochambeau's Aide, "it is the fortune of war; but behold an army which they can never conquer."

Gen. Washington, on approaching the river on the morning after his return from Hartford, according to his habit, proceeded at once to examine the fortifications. Gen. Lafayette, who had joined him, reminded him that Mrs. Arnold's breakfast was waiting. "You young gentlemen are all in love with Mrs. Arnold," he said. "You go and tell her not to wait for me, I will be there in a short time." Aides Hamilton and McHenry delivered the message, and were welcomed by Arnold and his wife.

In the midst of the meal, Lieut. Allen, who had been sent by Col. Jameson, delivered the letter sent by André to Arnold, at West Point headquarters in the Robinson House.

Arnold's iron nerve held him unconcernedly at the table, as sparkling as ever in conversation, until a favorable moment, when he asked his guests to excuse him, as he would have to run away from so delightful a company; sorry, but he had to go over to the Point to prepare for the reception of Gen. Washington. He arose and went upstairs; his wife, being not deceived, fearing something unusual had happened, followed her husband.

Arnold informed his wife of his ruin, and hastily bade her perhaps a last farewell, as she fell fainting to the floor; he kissed his sleeping baby, stepped a moment into the breakfast room to inform his guests of the sudden illness of his wife, and, followed by his boat's crew, dashed down the hillside to the river. To these honest men who had served him loyally in a just cause, Arnold explained his haste by saying that they must row with all their might, as he had a message to deliver on board the strange vessel anchored in the stream eighteen miles below, that he was doing this errand for Gen. Washington, and should be back before evening. He reprimed his pistols, and with one in each hand, sat resolved to die the death of a suicide

rather than be captured. By promises of reward, by voice and gesture, he urges his crew to their best endeavors. To his coxswain he offers a commission, to the crew rewards, if they will desert and join the British. They unanimously refused, and Larvey, the coxswain, replied: "If Gen. Arnold likes the King of England, let him serve him; we love our country, and intend to live or die in support of her cause." At Arnold's suggestion the coxswain and crew were made prisoners and carried on board of the "Vulture" to New York, in company with their old commander, who was the first and only American soldier during the Revolutionary War who turned traitor to his country.

The Beverly Robinson house,[1] where Arnold resided and made his headquarters, was situated about two miles below West Point, on the east side of the Hudson River. The house was burned down only a few years ago. Here also is the Beverly Robinson dock, from which Arnold escaped in a boat, as stated. This house before the Revolutionary War was owned and occupied by Robinson, who became a Tory, who also owned considerable land adjoining. It was to this house that André was brought from Salem, in this county, where Lt.-Col. Jameson was in command.

As Gen. Washington was returning from his tour of inspection about West Point, and on his way to Arnold's headquarters in the Robinson house, he was met by Gen. Hamilton, his secretary, who had for him Lt.-Col. Jameson's letter and the papers Paulding, Williams and Van Wart had taken from André. Gen. Washington and his co-patriots soon learned the cause of Arnold's sudden flight, the failure to greet Washington from the batteries with the accustomed salute, the general negligence and want of preparation for attack everywhere found. For a time consternation overcame the defenders of their country; they did not know how far the conspiracy extended, nor who were in it. The enemy might come that very night and find them unprepared. But Gen. Washington proved equal to the situation. He issued orders right and left and found men willing to execute them, and soon found answer to his question, asked in despair, "Whom can we trust?" Every man about him then proved himself a man of integrity, on whom

[1]The Beverly Robinson House was destroyed by fire in 1892, and many valuable relics with it.

Garrisons, opposite West Point, was, in 1780, known as Nelson's Point, and the nearby vicinity as Nelsonville.

he could rely. Hamilton was sent to head off Arnold if possible; Col. Talmadge was ordered to bring André with triple guards to the Robinson house; Gen. Greene, at Tappan, was directed to put the whole army in marching order, and before night every fort and defence, from Putnam to Verplanck's Point, was ready for any assault.

After Gen. Washington had given these orders, which he did with no outward sign of excitement, he sat down to dinner, and, with courtly kindness, sent to Arnold's hysterical and screaming wife this message: "It was my duty to arrest Gen. Arnold, and I have used every exertion to do so, but I take pleasure in informing *you* that he is now safe on board the 'Vulture.'"

André was brought to the Robinson house that night, by Gen. Washington's order, under guard of a detachment of one hundred dragoons, under command of four officers, headed by Col. Talmadge, who was determined his prisoner would be delivered sure.[1] The following day André was taken to Tappan where the American Army had its headquarters. And André never left Tappan a live man.[2]

According to the laws and usages of war in relation to spies, Gen. Washington would have been justified in ordering André summarily executed. But his kindness of heart ruled in the guilty man's favor. The threats of retaliation, impudent letters from Arnold, extraordinary appeals and interpretations of André's conduct and position from Gen. Sir Henry Clinton, did not have the effect of frightening Gen. Washington, who wanted to perform only his plain duty in the premises. He ordered a Board of Officers, consisting of six Major-Generals and eight Brigadier-Generals, as eminent as any in the service, including the foreign officers, Gens. La Fayette and Steuben, to act as a court to consider André's case.

This court gave André every opportunity to present his defence, and, when the facts were all in, unanimously adjudged him guilty, and that he must suffer the death of a spy. His judges were most reluctant to condemn him, but their duty was plain. André's youth, graces and accomplishments. his dignity and cheerfulness, won the affections of every soldier,

[1] See "Town of North Castle," and "Town of North Salem."

[2] Though Gen. Washington and his staff occupied the Robinson house at the time André was brought there a prisoner, he avoided seeing him; and, in fact, never saw André at all, dead or alive.

and the desire of all was that Arnold might be captured and substituted in André's place. In all the glittering splendor of the full uniform and ornaments of his rank, in the presence of the whole American army, without the quiver of a muscle or sign of fear, the officers about him weeping, the bands playing the dead march, he walked to his execution. His last words were of loving solicitude for the welfare of mother and sister he had left in the home land, and the manner of fame he would leave behind. "How hard is my fate, but it will be but a momentary pang," he said, as he pushed aside the executioner and himself adjusted the rope. To those around he cried: "I pray you to bear witness that I meet my fate like a brave man," and swung into eternity.

We are told that on the day of the execution the great tree, under which André was searched, in Tarrytown, was shattered by a bolt of lightning; and at the same hour, at his home in England, his sister awoke from a troubled sleep, screaming: "My brother is dead; he has been hung as a spy." It is surmised that André had written to his folks hinting that he was about to undertake a hazardous journey, and the uncertainty of the result had preyed upon his sister's mind, accounting for her dream.

André's remains were buried at Tappan, on the west side of the Hudson River, in Rockland County. Over his grave a stone was placed.

André was mourned and honored in England as if he had fallen in a moment of glorious victory at the head of an army. His brother was knighted by the King, who declared in solemn message that "the public can never be compensated for the vast advantages which must have followed from the success of his plan;" besides this his family was pensioned by the English government. In Westminster Abbey, that grand mausoleum of England's mighty dead, where repose her greatest statesmen, warriors and authors, the King placed a monument bearing this inscription: "Sacred to the memory of Major John André, who, raised by his merit, at an early period of his life, to the rank of Adjutant-General of the British forces in America, and employed in an important but hazardous enterprise, fell a sacrifice to his zeal for his King and country."

How careful the writer of this inscription was not to mention that their hero was arrested inside the lines of the enemy, bearing upon his person ample evidence to prove him to be

a spy, and that he was executed according to the laws and usages of war, after a fair trial by a jury of his peers, and duty compelled them to decide as they did.

Forty years later a Royal embassy came to this country, disinterred his remains at Tappan, and a British frigate, sent for the purpose, bore them to England, where they were buried beside his monument, in Westminster Abbey, with imposing ceremonies.

In April, 1909, there was found in the vaults of the Yale College Treasury, at New Haven, Conn., where it had been hidden for many years, a framed sheet of paper, faded and yellow, upon which is fixed a lock of hair, which a written inscription shows was taken from the head of Major André forty years after his execution. The hair is extremely fine and very dark. It has been placed in the Yale library with the pen portrait of Major André, drawn by himself on the night before his execution and given to an American officer.

What recognition have we made of the valuable, patriotic service rendered their country by John Paulding, David Williams and Isaac Van Wart? True, we cannot place in Westminster Abbey tablets properly inscribed setting forth their deeds of valor, and we know they are more worthy of the name "Hero" than was the man buried there, but we can honor their memory, and never forget that but for the service they rendered, and which was by them thought to be only trivial, we as residents of the United States would not now enjoy those privileges of liberty that make us a prosperous people.

MONUMENT HONORS HIS CAPTORS, NOT ANDRE.

On May 6, 1853, in the village of Tarrytown, a public meeting was held, at which an organization known as the "Monument Association of the Capture of André" announced that it was proposed to erect a monument "to commemorate the capture of Major John André, the British spy, at this place, during the Revolutionary War, by John Paulding, David Williams and Isaac Van Wart." Funds for this monument were collected in small amounts by popular subscription. Mr. William Taylor, on whose grounds it was proposed to erect the monument, had agreed to give the necessary land, a plot of twenty feet square. On Monday, July 4, 1853, the corner-stone of the monument was laid with appropriate ceremonies. A proces-

Monument at Tarrytown in Honor of
Captors of Andre

sion of military and civic societies, and carriages containing distinguished citizens, including surviving relations of Paulding, Williams and Van Wart, was part of the day's program. Col. James A. Hamilton, a son of Gen. Alexander Hamilton, and a local resident, laid the corner-stone.

The monument was completed and dedicated on October 7, 1853, with most interesting ceremonies, attended by citizens from all sections of the county and by many distinguished men of State and Nation.

Hon. Horatio Seymour, then Governor of the State of New York, dedicated the monument, and Hon. Henry J. Raymond, Lieutenant-Governor, delivered the oration.

In the course of his remarks, Governor Seymour said:

"I feel deep interest in this occasion, because I believe it is to be the first of a series of measures, calculated to do justice to the early history of our State, and to the memories of the brave and patriotic men who, within its limits, contributed so largely towards the achievement of our national liberties, and the formation of our political institutions." In concluding his address, he said:

"Fellow Citizens: In pursuance of the patriotic purpose of those who have erected this monument, as chief magistrate of this State, I hereby dedicate it to the commemoration of the capture of Major John André, Adjutant-General of the British Army, and the consequent discovery and defeat of a foul and dangerous conspiracy to betray the liberties of our country. May it ever stand, a memorial of the fidelity and bravery shown by our ancestors in achieving our national independence, a warning against treason to our political institutions, and a memento to remind us of the blessings which our God has bestowed upon our land."

Mr. Raymond. in the course of his eloquent address, had this to say:

"We stand upon the very spot where the dark plot was arrested —where the uplifted arm, just raised to strike the fatal and perfidious stab at the liberties of our land, was seized—where André, just upon the verge of safety, within a step, as it were, of his own encampment, ladened with the keys of the fortress of American freedom—by incaution—fruit of his foreseen and almost grasped security—betrayed himself to three incorruptible American hearts, and was by them returned to the American camp, whose honor he had so assailed."

"As I happened, a few weeks since, to be wandering through the long-drawn aisles and beneath the fretted vaults of Westminster Abbey, that venerable pile which enshrines the ashes, and consecrates the fame, of England's illustrious and immortal dead—my eye fell upon a monument, conspicuous by its position, and proclaiming itself "Sacred to the memory of Major John André; who, raised by his merit" (thus the record runs), "at an early period of his life, to the rank of Adjutant-General of the British forces in America," etc., etc.

"Placed thus high upon the list of England's bravest and noblest men, by the immediate act of her monarch, the name of André is handed down to immortality. He earned that great distinction, for which greater men have toiled through long lives, and performed deeds which have filled the world with admiration, and stamped their impress upon the whole current of the Nation's life, by the single endeavor to give shape and success to the only act of treachery which stains the annals of the Revolution—to purchase the infamous betrayal of that holy cause, which British power had proved unable to conquer, in an open and manly fight. The inscription upon his monument justly characterizes the enterprise as "important" to his King, and "hazardous" to himself. But its personal hazards fell infinitely below its public importance. André entered upon the service, doubly armed against its secret perils; first, by his character as a British officer, which would shield him, on the neutral ground, from the hostility of adherents to the British camp; and second, by a pass from a general, high in the American service, whose bravery had given him fame, whose fidelity was unstained by suspicion, and whose rank would have secured, for any one bearing his commands, free passage through the American camp, and prompt access to the favor and friendliness of every lover of the American cause. Of danger, then, there could be but little, except what might arise from his own imprudence, or lack of self-possession. But the results of the enterprise, if it should prove successful, promised to be of the most brilliant and decisive character.

"Men of Westchester! you have done well to erect this monument, upon a spot so sanctified, in everlasting remembrance of a deed, so transcendant in its relations to the freedom of America and of the world. It is among the most pious of the offices of patriotism, to perpetuate, by such memorials, the

excellence and the dignity of noble acts. Oblivion strenuously struggles for the possession of all things earthly; and it needs all the aid of letters and of stone—of commemorative festival and of recorded history—to scare away the forgetfulness which settles upon good deeds, and upon the memories of worthy men. It is only a few, at the best, out of the renowned nations of the dead, whose names and characters are thus handed down to the knowledge and regard of the living that come after. Of that great multitude of noble hearts, which upheld the country during our long and strenuous Revolution—of all those thousands who aided, in the field, in council, at the hearth, by action or by endurance, no less heroic, with blows, with words, with blood, with tears, in the consummation of that great result, how small is the number whose names have been engraven on any stone, or printed on any page, or preserved, in any way, among the hallowed recollections of that heroic time. It is only here and there that affectionate veneration, or a patriotic impulse, snatches one and another from the dreary realms of forgetful night, gives them to subsist in lasting monuments, and secures them from oblivion, " in preservations below the moon." Fortunate in this, as in the felicity of their useful lives, are the three men, Paulding, Williams and Van Wart, whose memory your pious labors will perpetuate; and fortunate, in a higher sense, is the country which is to have the undying benefit of their example thus handed down to the admiration and the emulation of all coming time. To them, indeed, it matters little whether their names shall be heard ever again among men—whether their bodies shall commingle with the dust, or be scattered by the mourning winds which sweep their native soil. But to their country, and to us, their countrymen, inheritors of the rich blessings they did so much to secure, and to the generations yet to come, to whom, in turn, they must be transmitted, undefiled, by us—it is not so. For our use and our country's, this monument has risen beneath your hands. To us and to our children are its words addressed. And they are words, at once of the past, and for the future—words of remembrance and of hope—words of gratitude to God evermore, in His guidance and support."

This same " Monument Association of the Capture of André " decided to arrange to celebrate, on September 23, 1880, the one hundredth anniversary of the capture of André, by John Paulding, David Williams and Isaac Van Wart.

The day was an exceptionally fine one, as if the weather desired to shine its blessing upon the day and the occasion. Fully ten thousand people had gathered at Tarrytown to participate in the day's ceremonies. The Centennial procession was long and imposing. Grand Army men, several Militia Regiments, civic societies, numerous firemen, representing the whole county, relatives of Revolutionary heroes, Governors of States and representatives of municipal governments and others, were in line.

Ex-Gov. Samuel J. Tilden, a resident of our County, was president of the day, and opened the exercises with an address listened attentively to by many thousands of people gathered under a large tent pitched near the monument. During his address, Gov. Tilden said:

"It was one hundred years ago, and on the spot where you have unveiled a monument—the spot on which the treasonable plot was discovered and defeated—three yeomen of the County of Westchester performed patriotic service. It is fitting that on the centennial anniversary of that day, public esteem and gratitude should distinguish that event. Paulding, Van Wart and Williams are all present here by their representatives, or by their children. The homage, the public gratitude, the honors which you have bestowed to-day, will be in all future times, and to all who come after us, not only an example, but an incentive to patriotic virtue."

Listening to Gov. Tilden, among the audience, were the Rev. Alexander Van Wart, the aged son of Isaac Van Wart, one of the captors, and Isaac Forster Van Wart, another descendant; William C. Williams, grandson of David Williams: Caleb W. Paulding, Isaac Paulding, Samuel Paulding, Pierre Paulding and Mary Hallock Paulding, descendants of John Paulding, one of the captors.

The orator of the day was "Westchester's Favorite Son," Hon. Chauncey M. Depew, who gave a graphic account of André's capture, and of details preceding the capture (substantially as related here), and then in part said:

"André's story is the one overmastering romance of the Revolution. American and English literature are full of eloquence and poetry in tribute to his memory and sympathy for his fate. After the lapse of a hundred years, there is no abatement of absorbing interest. What had this young man done to merit immortality? The mission, whose tragic issue lifted

him out of the oblivion of other minor officers, in its inception was free of peril or daring, and its objects and purposes were utterly infamous. Had he succeeded, by the desecration of the honorable uses of passes and flags of truce, his name would have been held in everlasting execration. In his failure, the infant Republic escaped the dagger with which he was feeling for its heart, and the crime was drowned in tears for his untimely end. His youth and beauty, his skill with pen and pencil, his effervescing spirits and magnetic disposition, the brightness of his life, the calm courage in the gloom of death, his early love and disappointment, and the image of his lost Honora hid in his mouth when captured in Canada, with the exclamation, ' That saved, I care not for the loss of all the rest,' and nestling in his bosom when he was executed, surrounded him with a halo of poetry and pity which have secured for him what he most sought, and could never have won in battles and sieges—a fame and recognition, which have outlived that of all the generals under whom he served.

"Are Kings only grateful, and do Republics forget? Is fame a travesty, and the judgment of mankind a farce? America had a parallel case in Captain Nathan Hale. Of the same age as André, he graduated at Yale College with high honors, enlisted in the patriot cause at the beginning of the contest, and secured the love and confidence of all about him. When none else would go upon a most important and perilous mission, he volunteered, and was captured by the British. While André received every kindness, courtesy and attention, and was fed from Gen. Washington's table, Capt. Hale was thrust into a noisome dungeon in the sugar-house. While André was tried by a board of officers, and had ample time and every facility for defence, Captain Hale was summarily ordered to execution the next morning. While André's last wishes and bequests were sacredly followed, the infamous British jailor Cunningham tore from Hale his cherished Bible, and destroyed, before his eyes, his last letters to his mother and sister, and asked him what he had to say. 'All I have to say,' was Hale's reply, ' I regret I have but one life to lose for my country.' His death was concealed for months, because this inhuman Jailor Cunningham said he did not want the rebels to know they had a man who could die so bravely. And yet, while André rests in that grandest of mausoleums, where the proudest of nations garners the remains and perpetuates the

memories of its most eminent and honored children, the name and deeds of Nathan Hale have passed into oblivion, and only a simple tomb in a village churchyard marks his resting-place. The dying declarations of Hale and André express the animating spirit of their several armies, and teach why, with all her power, army and wealth, England could not conquer America. 'I call upon you to witness that I die like a brave man,' said André, as he spoke from British and Hessian surroundings, seeking only glory and pay. 'I regret I have but one life to lose for my country,' said Hale; and with him and his comrades self was forgotten in that absorbing, passionate patriotism, which pledges fortune, honor, and life to the sacred cause.

"But Republics are not ungrateful. The captors of André were honored and rewarded in their lives, and grateful generations celebrate their deeds and revere their memories. Gen. Washington wrote to Congress: 'The party that took Major André acted in such a manner as does them the highest honor, and proves them to be men of great virtue; their conduct gives them a just claim to the thanks of their country.' Congress acted promptly. It thanked them by resolution, granted to each an annuity of two hundred dollars for life, and twelve hundred and fifty dollars in cash, or the same amount in confiscated lands in Westchester County, and directed a silver medal bearing the motto 'fidelity' on the one side and 'Vincit Amor Patriæ' on the other, to be presented to them. The Legislature of the State of New York gave to each of them a farm, in consideration—reads the act—of 'their virtue in refusing a large sum, offered to them by Major André, as a bribe to permit him to escape.' Shortly after, Gen. Washington gave a dinner party at Verplanck's Point. At the table were his staff and the famous generals of the army, and, as honored guests, these three young men, Paulding, Williams and Van Wart—whose names were now household words all over the land; and there, with solemn and impressive speech, Gen. Washington presented the medals. Paulding died in 1818, and in 1827 the Corporation of the City of New York placed a monument over his grave in the old cemetery (the old Van Cortlandtville Cemetery), just north of Peekskill, reciting, 'The Corporation of the City of New York erected this Tomb as a Memorial Sacred to Public Gratitude,' the Mayor delivering the address, and a vast concourse participating in the ceremonies.

Van Wart died in 1828, and in the Greenburgh church-yard, the citizens of this county erected a memorial in ' Testimony of his virtuous and patriotic conduct.' Williams died in Livingstonville, in Schoharie County, in 1831, and was buried with military honors. In 1876 the State erected a monument, and his remains were re-interred in the old stone fort at Schoharie Court House. On the spot where André was captured, men of Westchester County, in 1853, built a cenotaph in honor of his captors.

"Arnold, burned in effigy in every village and hamlet in America, received his money and a commission in the British Army, but was daily insulted by the proud and honorable officers upon whom his association was forced, and who despised alike the treason and the traitor. His infamy has served to gild and gloss the acts of André, and, deepening with succeeding years, brings out with each generation a clearer and purer appreciation of the virtue and patriotism of Paulding, Williams and Van Wart.

" Pity for André led to grave injustice to Gen. Washington, and detraction of his captors, which a century has not effaced. Gen. Sir Henry Clinton and his officers, in addresses and memoirs, denounced the execution of André as without justification. Defamers of Gen. Washington claimed that André was under the protection of a flag of truce, that he was within the American lines upon the invitation of the commander of the district, and under the protection of that General's pass, that his intent was free from turpitude, and the circumstances surrounding his position entitled him to exchange or discharge. When André was on trial upon the charge of being a spy, he testified in his own behalf that ' he had no reason to suppose he came on shore under a flag of truce,' and such is the concurrent testimony of all the witnesses. The story was the subsequent invention of Arnold. But even if true, the flag of truce is recognized in the usages of war for definite and honorable purposes—it ameliorates the horrors of the conflict; but, when used as a cover for treasonable purposes, loses its character and protective power. To present it, as a defence and shield for the corrupt correspondence of the enemy's emissary and a traitorous officer, is a monstrous perversion. It is true, he was present at Arnold's invitation, and carried his pass, but he knew the object of his visit, and did not hold the pass in his own name and title. Months before he had written to Col.

Sheldon, commanding the Continental outposts, that under a flag of truce and pass he proposed visiting, on important business, General Arnold, at West Point, and requesting safe conduct, and signing and representing himself as John Anderson, a trader. The meeting, which finally took place, was an appointment often before thwarted, and its object to tamper with the integrity and seduce from his allegiance the enemy's officer. The signals and agencies of communication and travel between hostile forces were collusively used to procure the betrayal of an army and the ruin of a nation. André landed at Haverstraw to traffic with the necessities and tempt the irritated pride of a bankrupt and offended general, and, having succeeded in seducing him to surrender the forts and trusts under his command, Benedict Arnold, so far as his confederate, André, was concerned, ceased from that moment to be the American commander, and any papers issued by him to further and conceal the scheme were absolutely void. His pass and safe conduct were not only vitiated in their inception by their joint act of giver and receiver, secreting treason in them, but they were issued to an assumed name and borne in a false character. A British soldier found disguised in the American lines, with plans of the patriots' forts, the details of their armaments, and the outlines of the plot for their betrayal hidden in his boots, lost, with the discovery of his personality and purposes, the protection of a fraudulent certificate. Generals Greene, Knox, La Fayette anl Steuben, and other members of the board of officers who tried and convicted André, may possibly have been ignorant of the great authorities upon international law; but had they studied, they would have found in them both precedent and justification. While the laws of war justify tampering with the opposing commander, and compassing his desertion, the sudden, unsuspected, unguardable, and overwhelming character of the blow render it the highest of crimes, and subjects those detected and arrested in the act to summary execution. A general is commissioned by his government to fight its battles and protect its interests.

" When, in 1817, one of André's captors petitioned Congress for an increase of pension, sixteen of the most respected and reputable, and widely known residents of this county certified to Congress, ' that during the Revolutionary War they were well acquainted with Isaac Van Wart, David Williams and John Paulding, and that at no time during the Revolutionary

War was any suspicion entertained by their neighbors, or acquaintances, that they, or either of them, held any undue intercourse with the enemy. On the contrary, they were universally esteemed, and taken to be ardent and faithful to the cause of the country.' Van Wart and Paulding, in solemn affidavits, reasserted the details of the capture, and the motives of their conduct, to counteract the charge made by André, ' that they stopped him for plunder, and would have released him if he could have given security for his ransom.'

'' As each of the three patriots, in ripe old age and the fullness of years, was called to render his account to the Great Judge, mourning thousands gathered about the graves to testify their reverence; and the respect and gratitude of their countrymen reared monuments to their memories.''

It must ever be remembered that this monument, at Tarrytown, was erected to the honor of the three brave men, Paulding, Van Wart and Williams, who captured André, the British spy, and not to honor one caught in the act of being a principal in one of the most infamous of crimes.

In connection herewith, we are permitted the privilege of publishing notes taken from papers of the late Gen. Pierre Van Cortlandt, of Croton, referring to interviews between the General and John Paulding, one of the captors, as follows:

''April 16, 1817.—John Paulding, in the year 1780, was a sergeant under Lieutenant Peacock, who was stationed with his corps at Daniel Requa's on the road leading from Tarrytown to Bedford. This command was stationed on the lines to protect the inhabitants against the marauding parties of British cow thieves, and was in pay either from the State of New York or from the United States, and consisted of between thirty and forty men. Early one morning they were surprised and attacked by Captain Totten with upward of one hundred British refugee dragoons, and John Paulding, with about twenty men of Peacock's corps, was taken prisoner, some badly wounded. Daniel Requa and Thomas Dean were also taken, Requa badly wounded. John Paulding and the other prisoners were immediately marched to New York and confined in the old Dutch Church, where he remained for about three months. One evening, the prisoners being allowed to walk by squads in the yard, Paulding, taking advantage of the Hessian sentinel turning his back toward him, leaped the board fence into the yard of an adjacent house. Here he was seen by a black woman, who favored his

escape into the street, after dark. He went to the house of a friend, Nathaniel Leviness, who lived near the prison. This friend furnished him with provisions, after secreting him for the night, and purchased for him an old British uniform coat (a yager coat, green, laced with red), in which to effect his escape from the city. Mr. Leviness advised him to keep out of the road as much as possible until he reached Bloomingdale, where he might find a small boat in which to cross the river. Paulding followed his advice, and near Bloomingdale espied a small boat aground. He went into the bushes near by and took a nap until the tide was high enough to float the boat. Just in the dusk of the evening he got in and paddled across the Hudson, landing somewhere near Bull's Ferry, on the Jersey shore. He then made the best of his way to the American camp, near English Neighborhood; was carried to the commanding officer (who, he thinks, was the Marquis de Lafayette) and a pass was given him to return to Westchester County. He traveled up and recrossed the river at West Point and went directly to Haight's, now Somerstown Plains, in the manor of Cortlandt. Paulding was very anxious to see his mother, who was then living at the house of old Peter Paulding, at the old Sawmill river, three miles east of Tarrytown, on the road leading to White Plains. His father was fearful to remain below, and therefor resided in the manor of Cortlandt, where he was shortly after joined by his wife.

"Paulding and six others went from the manor of Cortlandt to Daniel Requa's, the place where Paulding had been made prisoner. They had heard that a number of horses had been stolen, and formed themselves into a scouting party to intercept the thieves if they should attempt to pass with their booty to New York. Four of the party were stationed at old William David's, on the hill, and the other three—Paulding, Williams and Van Wart—stationed themselves on the Post road at a small brook, hidden by some bushes, in Tarrytown. This was, he thinks, the fourth day after his escape from the old Dutch Church, in New York. The British uniform coat Paulding procured to favor his escape from that city, he wore the day (as he had no other at hand) they captured André, and this undoubtedly deceived André into his first unguarded question, for in reply to his asking as to what party they belonged, Paulding answered, 'Look at my dress and you cannot be mis-

taken.' 'If you belong to the lower party,' said André, 'so do I.' The result is too familiar to all to require repetition."

AFFIDAVITS OF VAN WART AND PAULDING.

To correct judgment of the conduct and motives of the three men engaged in the capture of Major André, and to put at rest unmerited distrust, sixteen of the oldest and best known residents of the county, above their signatures, certified, in January, 1817, that, "during the Revolutionary War, we were well acquainted with Isaac Van Wart, David Williams and John Paulding, who arrested Major André, and that at no time during the Revolutionary War was any suspecion entertained by their neighbors or acquaintances, that they or either of them held any undue intercourse with the enemy (as had been charged by André). On the contrary, they were universally esteemed and taken to be ardent and faithful in the cause of their country. We further certify, that Paulding and Williams are not now residents among us, but that Isaac Van Wart is a respected freeholder of the town of Mount Pleasant; that we are well acquainted with him; and we do not hesitate to declare our belief, that there is not an individual in the County of Westchester, acquainted with Isaac Van Wart, who would hesitate to describe him as a man whose integrity is as unimpeachable as his veracity is undoubted."

Isaac Van Wart, one of the captors of André, made the following affidavit:

"Isaac Van Wart, of the town of Mount Pleasant, in the County of Westchester, being duly sworn, doth depose and say, that he is one of the three persons who arrested Major André, during the American Revolutionary War, and conducted him to the American camp. That he, this deponent, together with David Williams and John Paulding, had secreted themselves at the side of the highway, for the purpose of detecting any persons coming from or having unlawful intercourse with the enemy, between the two armies; a service not uncommon in those times. That this deponent and his companions were armed with muskets; and upon seeing Major André approach the place where they were concealed, they rose and presented their muskets at him, and required him to stop, which he did. He then asked them whether they belonged to his party; and then they asked him which was his party? to which he replied, the lower party. Upon which they, deeming a little stratagem,

under such circumstances, not only justifiable, but necessary, gave him to understand that they were of his party; upon which he joyfully declared himself to be a British officer, and told them he had been out on very particular business. Having ascertained thus much, this deponent and his companions undeceived him as to their characters, declaring themselves Americans, and that he must consider himself their prisoner. Upon this, with seeming unconcern, he said he had a pass from Gen. Arnold, which he exhibited, and then insisted on their permitting him to proceed. But they told him that as he had confessed himself to be a British officer, they deemed it to be their duty to convey him to the American camp; and then took him into a wood, a short distance from the highway, in order to guard against being surprised by parties of the enemy, who were frequently reconnoitering in that neighborhood. That when they had him in the wood they proceeded to search him, for the purpose of ascertaining who and what he was, and found inside of his stockings and boots, next to his bare feet, papers, which satisfied them that he was a spy. Major André now showed them his gold watch, and remarked, that it was evidence of his being a gentleman, and also promised to make them any reward which they might name, if they would but permit him to proceed, which they refused. He then told them that if they doubted the fulfillment of his promise, *they might conceal him in some secret place, and keep him there until they could send to New York and receive their reward.* And this deponent expressly declares that every offer made by Major André to them was promptly and resolutely refused. And as for himself, he solemnly declares, that he had not, and he does most sincerely believe that Paulding and Williams had not, *any intention of plundering their prisoner; nor did they confer with each other, or even hesitate whether they should accept his promises;* but, on the contrary, they were, in the opinion of this deponent, governed, like himself, by a deep interest in the cause of their country, and a strong sense of duty. And this deponent further says that he never visited the British camp, nor does he believe or suspect that either Paulding or Williams ever did, except that Paulding was once before André's capture, and once afterwards, made a prisoner by the British, as this deponent has been informed and believes. And this deponent for himself expressly denies that he ever held any unlawful traffic, or any intercourse whatever with the enemy. And—

appealing solemnly to that omniscient Being, at whose tribunal he must soon appear—he doth expressly declare that all accusations, charging him therewith, are utterly untrue.

"ISAAC VAN WART.

"Sworn before me, this 23th
day of January, 1817.
Jacob Radcliff, Mayor."

Likewise and relative to the same subject, John Paulding, another of the captors of André, made an affidavit, as follows:

"John Paulding, of the County of Westchester, one of the persons who took Major André, being duly sworn, saith, that he was three times, during the Revolutionary War, a prisoner with the enemy; the first time he was taken at White Plains, when under the command of Captain Requa, and carried to New York and confined in the Sugar House. The second time he was taken near Tarrytown, when under the command of Lieutenant Peacock, and confined in the North Dutch Church, in New York; that both these times he escaped, *and the last of them only four days before the capture of André;* that the last time he was taken he was wounded, and lay in the hospital in New York, and was discharged on the arrival of news of peace there. That he and his companions, Van Wart and Williams, among other articles which they took from Major André, were his watch, horse, saddle and bridle, and which they retained as prize; that they delivered over André, with the papers found on him, to Colonel Jameson, who commanded on the lines; that shortly thereafter they were summoned to appear as witnesses at the headquarters of General Washington, at Tappan; that they were at Tappan some days, and examined as witnesses before the court-martial on the trial of Smith, who brought André ashore from on board the British sloop-of-war; that while there, Col. William S. Smith redeemed the watch from them for thirty guineas; which, and the money received for the horse, saddle and bridle, they divided equally among themselves and four other persons, who belonged to their party, but when André was taken, were about half a mile off, keeping a look-out on a hill; that André had no gold or silver money with him, but only some Continental bills, to the amount of about eighty dollars; that the medals given to him and Van Wart and Williams, by Congress, were presented to them by General Washington,

when the army was encamped at Verplanck's Point, and they, on the occasion, dined at his table; that Williams removed some years ago from Westchester County to the northern part of the State, but where, particularly, the deponent does not know. And the deponent, referring to the affidavit of Van Wart, taken the 28th day of January last, and which he has read, says that the same is in substance true.

" JOHN PAULDING.

" Sworn before me, this 6th
day of May, 1817.
" Charles G. Van Wyck, Master in Chancery.

AN ESTIMATE OF ARNOLD'S CHARACTER.

Extracts from a letter written, September 27, 1780, by Gen. Anthony Wayne (the brave " Mad " Anthony) to a member of Congress, gives not only the General's opinion of Arnold, but also, doubtless, reflected the sentiments of a large majority of the American Generals. It was Gen. Washington's kindness of heart and hopes of redeeming him, that retained for Arnold his high position in the Continental Army. Gen. Wayne writes as follows:

" I am confident that the perfidy of General Arnold will astonish the public; the high rank he bore, the eclat he had obtained, whether deservedly or not, justified the world in giving it him. But there were a few gentlemen who, at a very early period of this war, became acquainted with his true character. When you asked my opinion of that officer last winter, I gave it freely, and, I believe, you thought it rather strongly shaded.

" I think that I informed you I had the most despicable idea of him, both as a gentleman and a soldier, and that he had produced a conviction to me, in 1776, that honor and true virtue were strangers to his soul; and, however contradictory it might appear, that he never possessed either genuine fortitude or personal bravery, and that he rarely went in the way of danger, but when stimulated by liquor, even to intoxication. (As was the case at the Battle of Saratoga.—Ed.)

" I shall not dwell upon his military character, or the measures he had adopted for the surrender of West Point; the latter have, no doubt, been already fully mentioned by the Comman-

der-in-Chief in his despatches. But I will give you a small specimen of his peculate talents.

" What think you of his employing sutlers to retail the public liquors for his private emolument, and furnishing his quarters with beds and other furniture, by paying for them with pork, salt, flour, etc., drawn from the magazines; he has not stopped here; he has descended much lower, and defrauded the veteran soldier who has bled for his country in many a well-fought field, during five campaigns; among others, an old sergeant of mine has felt his rapacity. By the industry of this man's wife they had accumulated something handsome to support themselves in their advanced age, which coming to the knowledge of this cruel spoiler, he borrowed a large sum of money from the poor credulous woman, and left her in the lurch. The dirty, dirty acts which he has been capable of committing, beggar all description; and they are of such a nature as would cause the infernals to blush, were they accused of the invention and execution of them.

" The detached and debilitated state of the garrison on West Point insured success to the assailants; the enemy were all in perfect readiness for the enterprise, and only waited the return of André to carry it into execution. The 26th was the day fixed on for this exploit, and the discovery of Arnold's treachery was not made until late on the 25th. At 12 o'clock of the morning of the 26th an express reached General Green from his Excellency, who had fortunately arrived at West Point on his return from Hartford, to push on the nearest and best disciplined troops, with orders to gain the defile or pass over the Dunderburg before the enemy. The First Pennsylvania Brigade moved immediately, and on the arrival of the second express, I was speedily followed by our gallant friend, General Irvine, with the Second Brigade. Our march of sixteen miles was performed in four hours, during a dark night, without a single halt, or a man left behind. When our approach was announced to the General, he thought it fabulous; but when assured of the reality of his Tenth Legion being near him, he expressed great satisfaction and pleasure.

" The protection of this important place is committed to the Division under my command, until a proper garrison arrives. We will dispute the approaches to the works, inch by inch, at the point of the bayonet, and if necessary, decide the fate of the day in the gorge of the defiles at every expense of blood.

You may rest assured that whatever may be the issue, neither the conduct of myself nor gallant assistant will ever require the palliation of a friend or cause a blush on the cheek of any affectionate acquaintance.

"Most respectfully, your obedient,

"ANTHONY WAYNE."

From Col. A. Scammell's letter to Col. Peabody, we get the following views, relative to Arnold:

"Treason! Treason! Treason! black as hell! That a man so high on the list of fame should be guilty as Arnold, must be attributed not only to original sin, but actual transgressions.

"Heavens and earth! we were all astonishment, each peeping about him; nay, we even descended to a critical examination of ourselves. This surprise soon settled down into a fixed detestation and abhorrence of Arnold, which can receive no addition. His treason has unmasked him the veriest villain of centuries past, and set him in true colors. His conduct and sufferings at the northward, has in the eyes of the army and his country, covered a series of base, grovelling, dirty, scandalous and rascally peculations and fraud; and the army and country ever indulgent and partial to an officer who has suffered in the common cause, wished to cover his faults, and we were even afraid to examine too closely, for fear of discovering some of his rascality. Now, after all these indulgences, the partiality of his countrymen, the trust and confidence the Commander-in-Chief had reposed in him, the prodigious sums he has pilfered from his country, which has been indulgent enough to overlook his malpractices, I say, after all this, it is impossible to paint him in colors sufficiently black. Avarice, cursed avarice, with unbounded ambition, void of principle of honor, honesty, generosity, or gratitude, induced the caitiff to make the first overtures to the enemy, as André declared upon his honor, when on trial before the General officers."

"May Arnold's life be protracted under all the keenest stings and reflections of a guilty conscience; be hated and abhorred by all the race of mankind; and finally suffer the excruciating tortures due to so great a traitor."

ROBERTSON vs. CONKLING AND PLATT.

Westchester County has furnished at least two men of National political fame, William H. Robertson and Chauncey M. Depew, who were, from youth, intimate as well as political friends.

Mr. Depew, an orator as widely known abroad as he is at home, began his political career as an Assemblyman. Afterward became Secretary of State, then County Clerk, a State Regent, and traveled along up the ladder until he reached the United States Senate, where we recently found him representing his native State and nearing his eightieth year, with all his old energy unabated.

Mr. Robertson, though he did not pretend to oratory, was just as forcible in other directions. Like his friend, he adopted law as his profession and his ability was soon recognized in a substantial way. While yet a young man, his capabilities as a leader among men were made use of by those older seeking political preferment. His knowledge of his fellowmen, their peculiarities, their ambitions, strength and weakness, gave him unusual power as a political leader, and in later years brought him honorable distinction. Men of all political faiths were pleased to call him their friend. In politics he never mourned when a political adherent saw fit to shift his allegiance; instead, he sought another, even better, to take the place of "the departed, but not forgotten," as he was accustomed to say.

Mr. Robertson, besides holding minor local offices, was several terms County Judge of this County, was Representative in Congress one term, declining a re-election, and was State Senator many terms. He was never defeated when a nominee for an elective office. When chosen to Congress or to the State Senate it was from a district usually Democratic. He was proud to say that he was the only Republican ever elected to either office in the Democratic Westchester district.

The Governorship had been promised and refused to him twice; a Cabinet portfolio was not to his liking, and a United States Senatorship he did not want, but he did want to be

Customs Collector at Port of New York. This last-named position he finally secured, after the whole country had become aroused over his getting it. His slogan was, "Know just what you want; get it."

The facts relative to the securing of the Collectorship furnish a somewhat interesting, if not startling, story; introducing, as they do, three of the cleverest and most resourceful politicians ever known in the State of New York, if not in the whole United States—Roscoe Conkling, Thomas C. Platt and William H. Robertson.

All, Mr. Conkling, Mr. Robertson and Mr. Platt, are dead. The former dying in 1888, Mr. Robertson ten years later, and Mr. Platt twelve years later than Mr. Robertson.

Thomas Collier Platt, who represented this State as one of its delegation in the United States Senate, was for several years the colleague of "Westchester's Favorite Son," Senator Chauncey M. Depew. Mr. Platt retired from the Senate on March 4, 1909, having rounded out fifty-two years of political activity. For a score of years he was the undisputed "Boss" of the Republican party in the State of New York and a power in National politics. From the time of the Fremont campaign in 1856, until the day of his retirement from the Senate, his life had been a stormy one, though he was nick-named the "Easy Boss." On every political battlefield, in State or Nation, in the last two decades, could be seen his standard in the thickest of the fight.

Mr. Platt is not of this County, though at one time numbered among its residents. His prominence as an opponent vanquished by the County's most illustrious representative, William H. Robertson, gains for him a place in this review.

The magnetism with which Mr. Platt was said to be liberally endowed, evidently failed in its efficiency when it came to controlling Judge Robertson, who possessed a mind equally as strong as that of Mr. Platt and who was as clever as a political tactician. Mr. Platt was fully equipped to play the game of politics as an expert, but with all his acuteness he found in Judge Robertson one who could play the game with equal skill; frequently to the former's great disadvantage.

It was Thomas C. Platt, allied with United States Senator Roscoe Conkling, who prevented the nomination of William H. Robertson as the Republican candidate for Governor in 1879, if not previously in 1872; and later it was he, still in alliance

with Conkling, who entered in a fight on President Garfield to prevent the nomination and confirmation of William H. Robertson as Collector of the Port of New York.

The objection Messrs. Conkling and Platt had to Judge Robertson was purely political. He did not prove as pliable as desired for the realization of their political ambitions.

The writer of this recalls a conversation he had with Judge Robertson in the Capitol building in Albany, early in the winter of 1880. The Judge related certain facts attending the proceedings of the Republican State Convention (held in the preceding fall), accounting for his not receiving the Gubernatorial nomination. He had been promised this in good faith by men whom he believed he could trust without stultifying himself. He told how Platt, Conkling and their allies turned from him at the last moment and brought about the nomination of Alonzo B. Cornell in his stead, for no other reason than that he would not sacrifice self-respect and subject himself to their absolute control; in other words, act as a figure-head in the office of Governor. During this conversation, a well-known Republican State leader, in passing, stopped, and offering to the Judge a hand of greeting, said in tones most sympathetic: "Senator, I am very sorry, very sorry, indeed, that you did not receive the nomination for Governor by our Convention." To this the Judge replied, coolly: "Thank you;" and the interview, quite brief on the Judge's side, was closed. After the "well-wisher" had passed on, the Judge commented on the hypocrisy of some men, adding: "The fellow who just addressed me so blandly was one of those who deliberately planned my defeat by that convention." "Such is politics, young man," sighed the Judge.

Above all things, Judge Robertson's ambition was to round out a long and successful political career by being elected Governor of the State of New York. That such desire be fulfilled was the sincere wish of his many loyal friends. But there were some things Judge Robertson would not do even to attain his ambition.

In return for services rendered, Governor Cornell, as soon as possible after being installed in office, appointed Mr. Platt a member of the Quarantine Commission, an office he held until 1888, when Governor Hill removed him.

The two memorable fights of Mr. Platt's life were, first, when he, in 1880, following the lead of Senator Conkling, went

down to defeat with that famous band of "three hundred and six stalwarts" who tried to force the nomination of General Grant for a third term; and second, when Conkling and he failed to be re-elected by the Legislature as United States Senators a short time later.

It is an old saying, and one quite true, that a time—a day of reckoning—comes when one can "settle the score" with another in the game of politics. The time was at hand, at this Republican National Convention, when Messrs. Conkling and Platt and their allies would be brought to realize that their misdeeds, leading to the betrayal of Judge Robertson, had not been forgotten. That the old admonition to forget in politics one year that which happened in the year before, would not for this occasion be observed.

The attempt to vote the New York State delegation in the Convention as a unit, as was the desire nearest to the hearts of Messrs. Conkling and Platt, proved impossible owing to the opposition of many in the delegation, under the lead of Judge Robertson, who was a delegate. Promises and threats were alike equally unavailing. Judge Robertson and his friends stood firm in their determination not to be delivered in bulk for any candidate not their individual choice. After a stubborn and hard-fought fight, it was decided by the Convention that each member of the New York delegation be permitted to vote in the Convention as an individual, announcing his vote as his name was called. Accordingly, the New York State delegation did not vote unanimously for General Grant's nomination. The action of Judge Robertson led to the nomination of James A. Garfield for President.

Conkling and Platt, as after events proved, never forgave Judge Robertson for being the cause of their great humiliation before representatives of the Nation. They had to admit that they had been outgeneraled by a man from their own State; that their pet scheme, to bring about what was considered the impossible, to overcome the prejudice of the people against a third term for a President of the United States, had met with a telling defeat.

In speaking later of the proceedings of that Convention, Mr. Platt said: "I remember that Conkling was a colossal figure in that convention. I never appreciated him more than when I saw his tall, majestic, panther-like figure and his historic Hyperion lock, and listened to his matchless oratory, his marvel-

ous power of invective and satire, as he concluded his speech placing Grant in nomination."

Grant's nomination was defeated; Judge Robertson had sprung suddenly into National prominence, owing to his determination of purpose. Though his action had increased the bitterness of his political foes, his independence had secured for him many loyal friends.

The action of Judge Robertson in the Republican National Convention was fully approved by those of his party in Westchester County who had elected him as their delegate to such Convention. Resolutions were adopted in various sections of the State commending the course Judge Robertson, and other delegates acting with him, had pursued.

According to published report, Messrs. Conkling and Platt returned from the Convention to New York much dejected. They feared for their political future. They understood what it meant to be discredited by one's party administration, the loss of power uplifted by the disposal of patronage. The Republican organization was in chaos; the leaders received the news of Garfield's nomination resentfully. They feared that Garfield, if elected, would give ear only to Judge Robertson and his friends in New York State, and the present Republican organization in the State would be succeeded by another organization that might prove detrimental to the interests of Conkling, Platt and their allies.

To head off any influence Judge Robertson might have with Garfield, it was suggested that Senator Conkling visit candidate Garfield at his home in Mentor, Ohio. Before Conkling, as proud as ever, could decide to pay this visit, he received a request from Mr. Garfield, that he visit him at his home. Of this visit Mr. Platt, in a recent interview, spoke as follows: "When Garfield heard of the defection in New York he sent for Senator Conkling. Upon Conkling's return from the conference at the home of the Presidential nominee, Conkling told me that Garfield had promised to recognize the New York organization, if elected. I said: 'Do you believe him?' to which Conkling replied, 'No, but we will try him out.' We did, and the war Garfield made on us after election is a matter of history."

In 1881 Mr. Platt was elected a United States Senator from this State, as an associate with his friend Senator Conkling. His election was accomplished after a most bitter contest in the

New York Legislature, between factions in the party. One faction, known as the "Stalwarts," those affiliating with the Conkling-Platt organization, being arraigned against the "Half-Breeds," as the anti-organization men were designated. During this fight in the Legislature these terms, distinguishing factions, were first used.

Relative to this election of Mr. Platt to the Senatorship, Mr. Chauncey M. Depew, who was a candidate before the State Legislature for that office as one of the opponents of Mr. Platt, has this to say: "It was found that those who supported Garfield were in a minority in the Legislature. Some of his friends could get five votes, some four, and some six. It was found that I could get twenty-six. I did not want to run for Senator, for private business reasons. But Judge Robertson, with authority of Garfield and Blaine, said: 'Chauncey, you have got to run for Senator,' and I ran. The contest went on and Mr. Platt received a certain number of votes and State Senator Crowley, whom Roscoe Conkling favored, received a certain number of votes, and I received a certain number, about equally divided. To all appearances Senator Conkling and Mr. Platt were not allied at the commencement of this contest; Mr. Platt was carrying on a campaign for himself. The Judge and I were whooping it up for Westchester. One day Mr. Platt came to me and said: 'You can never be elected.' 'Yes, I know that.' 'Well, suppose you elect me.' 'Well,' I said, 'we have been crushed in this State for twelve years under the tyranny of the Conkling machine. Every effort has been made to drive me out of politics and Judge Robertson and his friends out of public life. We have made our fight, we have got our rights and don't propose to be crushed. Suppose you are elected, will you support President Garfield?' 'Yes,' promptly replied Mr. Platt. We went at once to Judge Robertson's room and other members of the Legislature, who were supporting me, to the number of twenty-six, came in. To Judge Robertson and his fellow-members of the Legislature, Mr. Platt made the same frank statement relative to his determination to give hearty and loyal support to President Garfield. The day following, Mr. Platt was elected United States Senator. A few days later President Garfield sent to the Senate the nomination of Judge Robertson for Collector of the Port of New York."

Mr. Depew, and other friends of Judge Robertson, believed that when Judge Robertson was willing to forget the way he

had been misused heretofore by both Conkling and Platt, and returned good for evil, by furnishing votes necessary for Platt's election to the Senate, Senator Platt would show appreciation by faithfulness to the pledge guaranteeing his support to President Garfield, as the least return he could make.

What happened to the nomination of Judge Robertson for Collector of the Port? What Senator Platt did in support of President Garfield, and how he repaid Judge Robertson for aiding his election, is told in an interview with which Senator Platt favored us, just prior to his death. Senator Conkling's connection is also told, and all is now matter of political history of this State.

On the announcement of Mr. Platt's election to the Senatorship, Senator Conkling sent a telegram to Platt saying that it rejoiced his heart to know that so thorough and loyal a "Stalwart" had won the victory. Evidently Conkling was confident that the old alliance would be continued, and the "Organization" Republicans in New York would continue to be under the rule of a "most tyrannical politician," as Conkling was classified by Mr. Depew. After events prove that he was not a victim of misplaced confidence, so far as Senator Platt was concerned.

Mr. Platt took his seat in the Senate on the last day of President Hayes's administration, and on the day Mr. Garfield was inaugurated, March 4, 1881, he and Senator Conkling called upon the new President.

"We were received with cordialty," said Senator Platt, "and departed from the White House convinced that the contract made at Mentor would be fulfilled."

President Garfield later admitted to a friend that he never was so much embarrassed by anything as he was by the political situation in New York immediately following his inauguration. He did not want to make a breach between the Administration and the two New York Senators, yet he could not ignore the claims Judge Robertson and friends in New York had upon him. He recognized the fact that the action of Judge Robertson, and those he led in the National Convention, made possible his nomination for President.

Judge Robertson made it known that a membership in the President's Cabinet was not desired by him.

The Collectorship of the Port of New York, then considered the most coveted Federal position in the State, was suggested

as a gift that might prove acceptable to the Judge. The President knew it would be useless to attempt to get the two Senators from New York to consent to the confirmation of Judge Robertson for any office. After mature consideration, the President decided to act independently, as his friend Robertson had, and send the nomination of William H. Robertson, for Customs Collector at Port of New York, to the Senate. This he did.

Concerted action on the part of both Senators, Conkling and Platt, " held up " the confirmation. What happened next is a matter of history, a thrice told tale.

" Why," said Senator Platt, " the President, instead of doing as he promised for the organization, has picked out Conkling's worst enemy and named him for the most lucrative office in the State of New York." Senator Conkling was furious; he said that the pledge was broken and it was open war on the organization.

Senators Conkling and Platt felt that they had been insulted, and rather than remain in the Senate that was sure to confirm a nomination so distasteful to them, as a quiet canvass of the Senate had proven, they would resign forthwith, and go back to the New York Legislature, then in session, and ask for re-election and vindication. They figured that their friends controlled a majority of the Legislature and no time would be lost in making it plain to the President that a mistake had been made in his not having first consulted the New York Senators as to appointments for that State, and that it would be found advisable to withdraw Judge Robertson's nomination.

It was in this fight against the President that Senator Platt gained the sobriquet of " Me Too," his opponents asserting that he merely followed Senator Conkling's lead in resenting the alleged affront offered them by the President. This was unjust Senator Platt asserted, and these are the facts as vouched for by him. Instead of being a parrot-like follower, Platt led. He said:

" I went to the Senate desk and got the document nominating Robertson. I considered it a gratuitous insult to the New York State organization. I walked over to Conkling and said, ' I shall send my resignation to Governor Cornell to-night.' Conkling turned to me and replied: ' Don't be too hasty about this matter, young man.' We then went to the rear of the Senate chamber and talked it over. Conkling insisted that we should wait, and fight it out in the committee, to which the

nomination of Robertson had been referred. I replied, ' We have been so humiliated as United States Senators from the great State of New York that there is but one thing for us to do—rebuke the President by immediately turning in our resignations, and then appeal to the Legislature to sustain us.' I induced Conkling to join me in offering our joint resignations, and that night the papers were forwarded to Governor Cornell, by special messenger.''

Senators Conkling and Platt returned to New York to consult friends and devise the next step to be taken. After considerable consideration in conference with friends, there being some hesitancy on account of prevailing public sentiment, it was agreed that both Senators jointly request a re-election at the hands of the Legislature then in session. On this purpose being made known excitement ran high, and the prediction that the bitterest kind of a contest would ensue came true.

Judge Robertson, who was a member of the State Senate, led the fight to prevent the re-election and return of Conkling and Platt; and back of him were all friends of the new President. Before the end of the battle, much to the disgust of both Conkling and Platt, a few organization leaders, who were most urgent and persistent to have them seek re-election, deserted to the opposing side.

When the defeat of Conkling and Platt was certain, Judge Robertson found it difficult, as well as necessary, to convince his enthusiastic friends that he did not wish to be elected a United States Senator. He had served one term as Congressman and did not fancy life in Washington. He and his friends had the privilege of naming as Messrs. Conkling and Platt's successors, Warner Miller (well known in this County, and relative of the late Sheriff Samuel C. Miller) and Elbridge G. Lapham. These gentlemen entered upon their duties as United States Senators immediately.

Within a few weeks later, William H. Robertson was unanimously confirmed by the United States Senate as Customs Collector at Port of New York. In 1887, after his retirement from the office of Collector, Mr. Robertson was again elected a State Senator and re-elected, serving until 1892; for a considerable period acting by election as President pro tem of the Senate.

He continued his law practice during all the years of his political activity and up to the time of his death.

Senator Conkling, recognized as one of the ablest and most brilliant of men, as lawyer and statesman, was also one of the most proud and sensitive. He never fully recovered from the unexpected defeat administered by legislators of his own State whom he believed to be his loyal supporters under any and all circumstances, as they were when he yielded power given by the disposal of patronage. He found, as have others, that some alleged friends are influenced not by affection for a particular man, but instead by hope of getting patronage and easy gain for themselves; they turn readily and travel in either direction their personal interests lead. Why a man would do things guided solely by principle, is beyond the comprehension of some.

Mr. Conkling gradually relinquished his interest in politics and returned to the practice of law; to a profession at the head of which he soon regained his place, and before his untimely death he had amassed a comfortable fortune. He was the principal attorney for the wealthy A. T. Stewart estate and for the estate of Mr. Stewart's wife, who died after her husband. The case in which a niece was contesting the will of Mrs. Stewart, involving valuable property in this County, was on the Court calendar on the day of the great blizzard, March 12, 1888; Mr. Conkling was to conduct the defense; on his way to Court he caught so severe a cold that he died from its effects.

Senator Platt continued taking an interest in politics, regained his prestige, entrenched himself as the head of the State Republican organization and was returned from this State to the United States Senate. He retained the party leadership until quite recently, when, owing to physical disability, he was compelled to retire from active lead in the management.

After his defeat for " vote of approval " and return to the Senate, Mr. Platt, with the stolidity of a philosopher, immediately turned his attention to business. He accumulated a reasonable fortune and appeared to forget politics, but, as after evidence proved, he was playing a " quiet game," and as the politicians say, " laying low in the high grass," waiting for opportunity.

" The opportune time came," said Mr. Platt, " when I saw a chance to return good for evil and get even with my dear friend Warner Miller, who, with Judge Latham, was more than willing to aid our enemies and be elected to the United States Senate, in place of Mr. Conkling and myself, in 1881. Well, I was the cause of having ex-Senator Warner Miller nominated

for Governor by the Republican party, to run against David B. Hill, the Democratic nominee. To be sure Miller was badly defeated; that was too bad, I know, but how could I help it; I gave him the nomination, a fitting recognition for valuable services rendered his country in the United States Senate. His great popularity should have elected him. His defeat was really too bad; I assure you I felt his defeat keenly, and have never fully gotten over the disappointment.''

That Mr. Platt forced the nomination of Mr. Miller was generally known, as well as was the fact that he made no concealment of his activity, as the recognized leader of the party in the State, in accomplishing the defeat of his party's candidate, as a rebuke, it was said, to the pretension of Miller.

Platt's treatment of candidate Miller was said to be responsible for President Harrison's refusal to appoint Mr. Platt as Secretary of the Treasury in Harrison's Cabinet.

In 1898, Mr. Platt was well established as the head of the Republican organization in this State, but he could not prevent the nomination that year of Col. Theodore Roosevelt for Governor. Platt did not disguise the fact that he did not like Roosevelt, but he found the party must take Roosevelt, or defeat. Col. Roosevelt was just home from the Spanish-American War and as strenuous as usual; his warlike valor had been widely advertised and the sentiment in his favor was strong within the Republican party, in fact so strong that Platt dared not ignore it, therefore Platt acquiesced, and Roosevelt was named for Governor by the Republicans. The fate that befell Warner Miller was narrowly escaped by Theodore Roosevelt, who was elected by a smaller majority than his friends expected. Supreme Court Justice Augustus A. Van Wyck, of this Judicial District, was the Democratic nominee for Governor and was '' picked '' for the winner, not only by Democrats, but also by certain Republicans. The refusal of Richard Croker, head of the Tammany organization in New York city, to favor the nomination and re-election of Judge Daly* for Supreme Court Justice, for personal reasons, was always regarded as having disgusted many Democrats and influenced them to vote against their party Gubernatorial candidate and in favor of Mr. Roosevelt. After serving one term as Governor, Mr. Roosevelt wanted to be renominated, but Mr. Platt, to get rid of him, forced his

* Judge Daly was then a resident of New York city, now is a resident of Yonkers, in this County.

nomination as a candidate for Vice-President of the United States, and, unintentionally, assisted him to become President.

Of late years Mr. Platt has not been very active in politics, ill-health had a great deal to do in preventing his usual interest. His retirement from the United States Senate in 1909 virtually ended his political career.

Now all these men, once most active in political life, are dead, gone to that bourne from which no traveler returns.

Mr. Robertson died December 6, 1898, at his home in the town of Bedford.

The last to die being Thomas Collier Platt. He lived, within six days, twenty-two years after his friend and colleague Roscoe Conkling; Conkling died March 12; Platt died March 6.

Though in feeble health several years and needing the care of an attendant, at home and abroad, he went almost daily to his place of business down town in the city of New York from his up-town residence. This he did up to March 3, on which day, while sitting at the breakfast table, he fell over in a faint and was carried to his bed, which he never again left alive. He died at 3.45 P. M., Sunday, March 6, 1910; death was caused by chronic and acute Bright's disease. At the time of death he was in the seventy-seventh year of his age. Funeral services were held at his early home in Owego, N. Y., on Wednesday, March 9, 1910.

Three sons, grown to manhood, survive him. His wife died several years ago.

In 1911 occurred the forty-sixth anniversary of the Civil-War. Thousands of soldiers survive, and are likely to survive for years. This war, like many wars, was fought chiefly by boys. The records of the Northern Army show that more soldiers enlisted at the age of nineteen than at any other age, and that those who were twenty come next. But to be an officer usually implied a certain seniority of years, and now those who were of rank are going fast; the year 1911 witnessed the passing of many Generals of the Civil War. The early sixties surely produced a great generation. It had its faults, but weakness was not among them.

CUSTOMS COLLECTOR AT THE PORT OF NEW YORK.

The most coveted office of Customs Collector at the Port of New York, considered one of the most lucrative Federal positions within the gift of the President of the United States, has been held by many men who later became numbered among the most distinguished of the nation. One, Daniel S. Dickinson, became a United States Senator and one became President of the United States. The first Republican appointed as Collector at the Port of New York was Hiram Barney, a resident of Yonkers, in this County, and he was appointed by President Lincoln, the appointment dating March 23, 1861. As Collector, Mr. Barney succeeded Augustus Schell, at times a resident of this County, and the last in a long line of Democratic Collectors. Mr. Barney was a lawyer practicing in New York city; he resided at Kingsbridge, in the southern section of the town of Yonkers; he continued in this office until September 7, 1864.

Thomas Smith, of Yonkers, held the position of Deputy Collector from 1857 to 1861.

The next resident of this County to hold this responsible position was William H. Robertson, of Katonah, who was appointed by President Garfield, under circumstances that are now historic. Mr. Robertson's appointment was dated May 18, 1881; he held the office until July 1, 1885, when he was succeeded by Edward L. Hedden, a Democrat, appointed by President Cleveland. A Democrat continued in this office until May 4, 1889.

How near another of Westchester County's illustrious sons came to being made Customs Collector at the Port of New York, is best told by the gentleman himself; United States Senator Chauncey M. Depew, in delivering one of his inimitable addresses recently, relating political experiences, said:

"It used to be that the big New York appointments were strictly National. President Johnson selected me to be Collector of the Port of New York. I looked into it and found

that the fees—it was on a fee basis then—made it worth $120,000 a year. I was then a country lawyer at Peekskill, in Westchester County, and it looked good to me. Well, the notification of my selection was conveyed to me by United States Senator Morgan, with his congratulations. The two United States Senators from this State were for me, and it looked settled.

"But there came a hitch. I learned of it next day. Johnson had decided to veto the Civil Rights bill and had been advised by some of his Cabinet not to give out that nomination till after he should learn how the New York Senators would vote, if an effort were made to pass it over the veto. The nomination was not sent in, both New York Senators voted against the President, the nomination was never made, and that's how Peekskill lost more money than it ever saw. Why, that money was more than all Peekskill was worth then—houses, lands, everything."

ITEMS OF INTEREST.

The first post of the Grand Army of the Republic was organized in Decatur, Illinois, on April 6, 1866.

The widows of Presidents Polk, Tyler, Lincoln, Garfield, McKinley and Cleveland were granted pensions by act of Congress. Mrs. Cleveland's being granted recently, at $5,000 per year.

Mrs. Elise Sigel, widow of General Franz Sigel, died at the home of her daughter, in the Bronx, in 1910, aged 75 years. When the Civil War broke out, Mr. Sigel and his wife were teaching school in St. Louis. He raised a regiment and battery of Germans and offered them to President Lincoln. General Sigel died in 1902.

From the report of the Commissioner of Education we learn that New York State has an army of 1,840,909 pupils in school, equaling the whole population of Minnesota or Virginia. Upon these schools the people of the State are spending $76,696,217, equal to the entire national revenue of Canada or Holland. In some respects this is decidedly an Empire State.

THE STATE'S BIRTHPLACE.

New York State recently acquired, by purchase, the site whereon stood the Westchester County Court House, in which the Provincial Congress (or Convention) met, in 1776, and adopted resolutions necessary to the creation of the State of New York. This property is situated on Broadway, in the village of White Plains.

Negotiations for this purchase were completed in January, 1909.

A monument was previously erected to designate the spot on which the State was given birth; this monument was built of stones taken from the old Court House destroyed by fire four months after the holding of this memorable session, which resulted in the adoption of a State Constitution; another and adjoining section of this property is to be used by the State for purposes of its militia; a site on which an armory has just been built, to be occupied by a local company of the National Guards.

A second Court House was erected on the site of the one burned in 1776; the second being built in 1786 and was in constant use until the needs of the County required a Court House more spacious. The second Court House was sold and carried away, and the property fell into the hands of private parties.

That the site of the State's birthplace should belong to the State and be preserved as a worthy relict of times when patriotism required sacrifices, was generally conceded, but concerted action to further the State's possession was not taken until years after.

On the occasion of the celebration of the 116th anniversary of the State's birth, in July, 1892, members of the Sons of the American Revolution met in White Plains, on the site of the birthplace, and by resolutions decided to launch a movement having for its object the preservance of the landmark by State purchase.

Early in the next year the Sons of the American Revolution caused to be introduced in the Legislature of the State a

bill providing for a necessary appropriation of money to purchase the property in question and for the erection of an appropriate monument to mark the spot. The bill passed both houses of the Legislature and went to the Governor; Governor Flower decided to withhold his signature, explaining that he believed the object could be better attained through means of private subscriptions; that the contemplated expense was not properly a State charge. Those who were convinced that the site was of enough historic importance to interest all sections of the State, differed with the Governor.

Though disappointed in not securing the co-operation of State officials, friends of the project did not despair of final success. Quiet agitation progressed through years, until the Daughters of the American Revolution, weary of waiting action of their male fellow-patriots, determined to take hold and find out what could be done by persistent, energetic work in the right direction. They were aroused not only by desire for heroic deeds, but, also, by rumors that the desired property was about to be sold to serve private ends, and therefore would be placed beyond purchase for patriotic purposes. In 1905 the White Plains Chapter of the Daughters of the American Revolution took the initiatory, assisted by fellow-members, in an endeavor to raise funds for the erection of a suitable monument to mark the site. An inscription stone, intended to be but temporary, was unveiled in October, 1905, with appropriate ceremonies, in which Daughters and Sons of the American Revolution, members of the Westchester County Historical Society, parading school children and numerous citizens of the County, took part.

An organization to be known as the "Society to Acquire and Preserve the Birthplace of New York State," with prominent citizens residents of different sections of the State as members, was formed to act in conjunction with the Daughters of the American Revolution.

The Board of Supervisors of Westchester County, in 1908, voted to appropriate an amount of money sufficient to purchase the property formerly belonging to the County, the site of the building in which the State was given birth; the understanding being that the portion of the property on which stood the Court House be placed under the jurisdiction of the Daughters of the American Revolution and the adjoining property

be used as a site on which the State could erect an armory for State Militia.

On July 14 (Flag Day), 1910, the monument commemorating the birth of the State of New York was dedicated, under the direction of members of the White Plains Chapter of the Daughters of the American Revolution. The inscription on the monument reads: " Site of the County Court House where, on July 10, 1776, the Provincial Congress proclaimed the passing of the dependent colony and the birth of the independent State of New York."

Mrs. Freeman H. Merritt, regent of the White Plains Chapter, delivered the address of welcome and formally presented the monument to the State.

Hon. Edward R. O'Malley, Attorney-General of the State, at the request of Governor Charles E. Hughes, accepted the monument on behalf of the State, and spoke in part as follows:

" The gift to the State of this monument is a fitting way to commemorate the birth of this Commonwealth. The White Plains Court House site is to New York what Independence Hall is to the Nation. Here on July 10, 1776, the Fourth Provincial Congress proclaimed the independence of New York from any allegiance to Great Britain. It changed its name from ' Provincial Congress of the Colony of New York ' to the ' Convention of the Representatives of the State of New York.' This act gave a powerful impetus to the cause of freedom. By it New York took a final stand in favor of independence. The consequences of the act were duly considered. Failure meant a greater loss to New York than to any other Colony. Defeat would mean the destruction of her vast revenues and heavy loss. The Revolution owed its success in a great degree to this Commonwealth. To form the Union, New York surrendered its extensive revenues and a large domain. It has ever made great contributions towards the upbuilding of this Republic. New York's capital and ingenuity constructed the Erie canal. This enterprise not only proved beneficial to the State but also the great central West. Cities bordering on the Great Lakes owe much to the Erie Canal. New York is now expending $101,000,000, the benefits of which will not be confined alone to New York. The whole country will be benefited.

" This is an appropriate day for this celebration. One hundred and thirty-three years ago our flag was made the national

emblem by Congress. No flag signifies so much for humanity. It tells us of the political independence of a great people; of the onward march of a powerful nation; of unrestricted individual effort. It means toleration, good will, industry and education; it means equal opportunity. Under no other flag has so many charters of human liberty been enacted. Some laws have been crude, some unwise, but in the aggregate salutary. History furnishes no such effort in the interests of the many.

" The issues of to-day are not greater than those of the past. It is indeed an epoch-making time. Governmental functions have broadened. Concentration and organization have brought both advantages and abuses. The curbing of those abuses is one of the issues of our time. Our duty is to solve the issues sanely. The success of the past ought to encourage this and future generations. Our history is replete with acts of devotion to high ideals.

" No organization has any worthier objects than the Daughters of the American Revolution. The Nation and State are indebted to you for the noble work being done. This community is indebted to the local chapter. On behalf of the State, and at the request of Governor Hughes, I accept this beautiful monument presented to the State. I thank you on behalf of the people of this Commonwealth."

At the close of the formal exercises, the ladies of the White Plains Chapter presented to the local militia company, the 49th Separate Company, N. G. N. Y., a large silk American flag. To conclude the day's program, a reception was held in the armory just completed.

FORMATION OF STATE.

The Colony Provincial Congress was organized, to succeed the Colonial Assembly, in 1775. The first session of this Congress was held in New York city, commencing May 22, 1775; the second and third sessions were also held in that city up to and including June 29, 1776 (see page 15, vol 1).

As it was deemed advisable for safety of members of the Congress (or Convention) to hold future sessions elsewhere than in New York city, White Plains, the scene of many patriotic gatherings during the years of the Revolution, was decided upon as the place of meeting, and here the Fourth Provincial

Congress (termed Convention) assembled on July 9, 1776, and continued in session to and including July 27, same year. It was at this memorable session that the question was submitted as to whether New York, as a State, should indorse the Declaration of Independence, just signed and promulgated in Philadelphia. After due consideration, New York's approval and manifestation of hearty accord of such declaration was given with a unanimous vote. The Congress further directed that the Declaration of Independence be publicly read that the people of the State may hear and learn, that it be published broadcast, " with beat of drum " at White Plains that those assembled as representatives of the free and independent State of New York approve of the action of Congress in session in Philadelphia, and especially commend the services rendered by representatives in that Congress from New York.

This Provincial Congress, in session in White Plains, was presided over by General Nathaniel Woodhull, its president, who a few weeks later was killed while leading his troops in a battle with the British on Long Island.

At the opening session of the Congress the following letter from the Continental Congress, in session in Philadelphia, was read:

" Gentlemen:

" Although it is not possible to forsee the consequences of human actions, yet it is nevertheless a duty we owe ourselves and posterity in all our public councils to decide in the best manner we are able, and to trust the event to that Being who controls both causes and events, so as to bring about His own determination.

" Impressed with this sentiment, and at the same time fully convinced that our affairs may take a more favorable turn, the Congress have judged it necessary to dissolve all connection between Great Britain and the American Colonies, and to declare the free and independent States, as you will perceive by the enclosed Declaration, which I am directed to transmit to you; and to request you will have it proclaimed in your Colony, in the way you shall think most proper.

" The important consequences to the American States from this Declaration of Independence, considered as the ground and foundation of a future government, will naturally suggest

the propriety of having it proclaimed in such a manner, as that the people may be universally informed of it.

"I have the honour to be, gentlemen,

"Your most obedient and very humble servant,

JOHN HANCOCK, President.

"Honourable Convention of New York."

Relative to this communication the following action was taken, as shown by record of proceedings:

"Ordered, That said letter and Declaration be referred to a Committee, to consist of Mr. Jay, Mr. Yates, Mr. Hobart, Mr. Brasher and Mr. William Smith.

"The Committee appointed to take into consideration the letter from our Delegates in Continental Congress, and the Declaration of Independence, reported the following, which was unanimously agreed to, and is in the words following, that is to say:

"*In Convention of the Representatives of the State of New York,*

"WHITE PLAINS, *July* 9, 1776.

"*Resolved unanimously,* That the reasons assigned by the Continental Congress for declaring the United Colonies free and independent States are cogent and conclusive; and that while we lament the cruel necessity which has rendered that measure unavoidable, we approve the same, and will, at the risk of our lives and fortunes, join with the other Colonies in supporting it.

"*Resolved,* That a copy of the said Declaration and the foregoing resolution be sent to the Chairman of the Committee of the County of Westchester, with orders to publish the same, with beat of drum, at this place on Thursday next, and to give directions that it be published with all convenient speed in the several districts within the said county; and that copies thereof be forthwith transmitted to the other county committees within the State of New York, with order to cause the same to be published in the several districts of their respective Counties.

"*Resolved,* That 500 copies of the Declaration of Independence, with the two last mentioned resolutions of this Congress for approving and proclaiming the same, be published in handbills and sent to all the county committees of this State.

"*Resolved,* That the Delegates of this State in Continental Congress be and they are hereby authorized to consent and adopt all such measures as they deem conducive to the happiness and welfare of the United States of America.

"*Ordered,* That copies of the aforesaid resolutions be transmitted to the Continental Congress."

On July 10 this Provincial Congress adopted the following resolution:

"*Resolved and Ordered,* That the style or title of this House be changed from that of ' the Provincial Congress of the Colony of New York ' to that of ' the Convention of the Representatives of the State of New York.' "

The " Representatives of the State of New York, in convention assembled," sent to President Hancock, of the Continental Congress, in reply to his of July 6, the following letter:

" WHITE PLAINS, *July 11th,* 1776.

" Sir:—Your letter of the 6th July inst. enclosing a copy of the Declaration of Congress, proclaiming the United Colonies free and independent States, and requesting us to proclaim and publish the same in this Colony, has been received.

" It gives us pleasure to inform you that, having been informed of that Declaration by our Delegates, we have anticipated the request of the Congress by our resolutions of the 9th inst., a copy of which was enclosed in a letter we did ourselves the honour of writing you this morning.

" We have the honour to be, etc.,

" By order,

(Unsigned.)

" The Honourable John Hancock."

Later President Hancock sent to the State Representatives the following:

" BALTIMORE, *January,* 31, 1777.

" Gentlemen:

"As there is not a more distinguished event in the history of America than the Declaration of her Independence, nor any that, in all probability, will so much excite the attention of future ages, it is highly proper that the memory of that transaction, together with the causes that gave rise to it, should be preserved in the most careful manner that can be devised;

I am, therefore, commanded by Congress to transmit you the enclosed copy of the Act of Independence, with the list of the several members of Congress subscribed thereto, and to request that you will cause the same to be put upon record, that it may henceforth form a part of the archives of your State, and remain a lasting testimony of your approbation of that necessary and important measure.

"I have the honour to be, gentlemen,

"Your most obedient and very humble servant,

JOHN HANCOCK, President.

"Honourable Convention of the State of New York."

In the Provincial Congress, afterward termed the Convention of Representatives of the State of New York, there were representing Westchester County, Col. Pierre Van Cortlandt, Gen. Lewis Morris, Jonathan G. Tompkins, Major Ebenezer Lockwood, Samuel Haviland, Peter Fleming, Benjamin Smith, Governeur Morris, Col. Gilbert Drake, Zebediah Mills, Col. Lewis Graham, Captain Jonathan Platt, William Paulding and John Jay. Though John Jay was credited to New York city he was a resident of Westchester County and he had the best interest of the County at heart; he was one of the most prominent men in the Congress, and as chairman of the committee appointed to report a draft of the proposed State Constitution, he prepared that important document, and as drafted by him, it was unanimously adopted as the Constitution of the State of New York, in 1777.

In appreciation of many patriotic deeds performed, Mr. Jay was made the first Chief Justice of the Supreme Court of the State under the Constitution, and he was further greatly honored by his fellow countrymen (see page 79, vol. 1).

Sessions of the Provincial Congress, succeeding that in White Plains, were held in Harlem, in Fishkill and Kingston on the Hudson river; this Congress finally dissolved in Kingston on May 13, 1777.

The Constitution of 1777 failed to specify the date on which the Governor should enter upon the discharge of his duties. George Clinton was declared elected the first Governor on July 9, 1777, one year later than the date on which the Provincial Congress had met in White Plains and declared for the State's independent organization. In February, 1787, the Legislature passed an act providing that the Governor and the Lieutenant-

Governor should be installed into office on the first day of July following the election.

Pierre Van Cortlandt, of this County, was installed as State's first Lieutenant-Governor.

While the Continental Congress was in session, in 1775, the Provincial Congress of the Colony of New York was organized; and as the former body had passed resolutions requesting the Colonies to adopt forms of government for themselves, statesmen representing this and other counties of this Colony in the Continental Congress were chosen to act also as members of the Colony Congress to give assistance in the formation of a State government. Most prominent among those called upon by their constituents to aid in the formation of a "home government" was John Jay, who had by this time become famous as one of the most conspicuous members of the Continental Congress. We learn, from historical records, that though his time was fully occupied in an endeavor to formulate plans for the success of the purposes of the National Congress, yet he felt forced to heed the persistent demands of his native colony and take part as a member of the Provincial Congress. This incident is only one of many illustrating how strongly his countrymen relied upon the talents and patriotism of Mr. Jay; he was called to every office, civil or military, in which there was opportunity for displaying his judgment. At this period we find him holding three appointments at once, so well were all convinced of his fitness for every duty that was imposed upon him. On motion of Mr. Jay the provisional Congress, on May 31, 1776, passed resolutions calling upon the people to elect delegates to a Convention, a new body, which should have, besides the usual powers, that necessary for the formation and putting in practice a new form of government for the Colony of New York. Mr. Jay and others before named as representatives from Westchester County were elected delegates to this Convention.

As stated, the first sessions of this Convention were held in New York city, where the Provincial Congress of the Colony had been accustomed to assemble. That city was even then remarkable for its wealth, as it was for the numbers of its Tory population. The Provincial Congress of the Colony realized the situation in which the city would find itself in case of an attack from the enemy; its easiness of access from the sea, its long inland water communication and the aid Tories would cheerfully render, the city would present itself to the British

as an easy conquest, and, when conquered, would furnish an excellent place of arms. The Colony Congress called out the militia, and proceeded to officer and equip them, devising measures for the city's defence. They found great difficulty, however, in procuring talented officers, and were obliged to tender a commission to Mr. Jay, although he was already a member of two legislative bodies. Ever ready to serve his country, he accepted the tender, and became colonel of the second militia regiment of infantry. His duties as a legislator were more necessary to the State than those of a soldier, and this command was never assumed.

On June 29, 1776, Lord Howe of the British Army arrived with a fleet and army in the harbor of New York; and the Convention which had met to provide a government for the proposed State, after giving orders, which show how little they were prepared for defence, retired to White Plains in this County. The action of the Convention in session at White Plains has here been mentioned.

At a later session of the Convention, on July 16, 1776, Mr. Jay succeeded in having adopted resolutions declaring all persons who in any way aided or assisted England, guilty of treason to the new State, and liable to be punished accordingly. This measure, which was meant to reach Tories especially, was rendered justifiable by the Declaration of Independence, which declared that the country was no longer a Colony, but a separate State, and had perfect right to provide in every way for its own safety.

Westchester County at this period contained many Tories, owing probably to the fact of its close connection to New York city, which is described as having been then " a nest for them." In Queens County, Long Island, likewise in close proximity to New York city, the Tory sentiment was strong, and the inhabitants of that county had proceeded so far as to refuse to send members to the Colonial Congress, and had declared themselves neutral in the present struggle. Congress, at the instigation of Mr. Jay, passed resolutions commenting severely on the indecision and cowardice of their course, and also, as was necessary, took measures, by sending troops, for disarming the inhabitants and arresting the most odious. Tories aided the enemy in secret, as spies carrying information as to the actions of their more patriotic neighbors. As the head of the " Committee

of Safety '' in this State, Mr. Jay succeeded, through the efforts of trusted agents, in preventing Tories in this County rendering as much aid to the nearby British forces as they had hoped to do. The Committee of Safety, in the absence of higher authority for which it had to act, effected glorious results for the patriotic cause, and its members being in the confidence of General Washington proved valuable aids to that Chief. The headquarters of the Committee of Safety was in White Plains, this County's present County Seat.

STATE MILITARY DEPARTMENT.

Westchester County took a prominent part in organization of the State Militia and holds an important place in the column of patriotic counties in the hours of peace as well as in the time of war when thousands of its citizens promptly responded to the call to arms.

William Paulding, Jr., of the town of Cortlandt, was one of the first called to aid the Governor in command of the State Militia, and it is to him that much credit is given for the early organization. His appointment as Adjutant-General was made by Governor Tompkins in 1809, and he continued in such office from the year 1809 to February 21, 1821, serving under Governors Tompkins and Clinton.

Allan Macdonald, of White Plains, was also an Adjutant-General, appointed by Governor Marcy in 1837-38.

Joseph J. Chambers, of Sing Sing, was Chief of Engineers, on the Governor's staff, appointed by Governor Myron H. Clark in 1855-56-57.

Edwin A. McAlpin, of Sing Sing, served as Adjutant-General in 1895-6, on the staff of Governor Morton.

Samuel William Johnson, of Rye, was appointed Commissary-General and Chief of Ordnance in 1871-2, during the last two years' term of Governor Hoffman.

Ralph Brandreth, of Sing Sing, served on Governor Hill's staff from 1886 to 1892, as Commissary-General of Subsistence.

George D. Sanford, of Peekskill, was on Governor Flower's staff as Commissary-General of Subsistence, in 1892-3-4-5.

James W. Husted, of Peekskill, ever manifested an active interest in local military affairs, and during the many years he

served conspicuously in the State Legislature he was considered a friend of the militiamen. During his enlistment in the State guards he served as Judge-Advocate of the Seventh Brigade and as Major-General of the Fifth Division.

HISTORICAL NOTES.

On April 12, 1861, the Confederate batteries in Charleston (S. C.) Harbor fired on Fort Sumter.

President Lincoln issued his first proclamation, calling for volunteers for the Civil War, on April 16, 1861.

Eighteen hundred and fifty-six is given as the date of birth of the present Republican party. The year Gen. John C. Fremont ran for President.

Under Mayor Edward Holland, in 1741, was begun the first paving of public streets in New York city; using broken stone, cinders and planks.

The accounts and vouchers of General Washington's military expenses during the Revolution are on exhibition in the Congressional Library in Washington, D. C.

In 1911 the United States Supreme Court began the second decade of the twentieth century and the one hundred and twenty-third calendar year of the United States.

The custom of placing two lamps, on posts, to illuminate the front of the Mayor's residence in cities, came in vogue during the time Peter Stuyvesant was Mayor in New York city.

The late Burton N. Harrison, husband of the authoress and father of Congressman Francis Burton Harrison, was private secretary of Jefferson Davis while President of the Confederate States.

There are on file in the Congressional Library in Washington, D. C., over two thousand applications for office under President Washington, which leads us to believe that the office-seeking habit was strong even in the days of the infancy of the Republic.

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